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Volume III
No.19

Tuesday
1st September, 1953

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

(Vol. III contains Nos. 1—25)

(Part I—Questions and Answers)

PARLIAMENT SECRETARIAT
NEW DELHI

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Acc. No. 25195
Dated 24.11.2014

THE PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT

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Tuesday, 1st September, 1953

The House met at a Quarter Past Eight of the Clock

[MR. DEPUTY-SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

BALANCE OF TRADE

***910. Dr. M. M. Das:** Will the Minister of **Finance** be pleased to state:

(a) the balance of trade position of the Government of India with the Governments of the foreign possessions in India;

(b) whether our trade with these foreign possessions in India is regulated by the usual laws of import and export of the Indian Government or by some special agreements entered into with the Governments of these foreign possessions;

(c) the commodities, if any, in which free trade is allowed with these foreign possessions; and

(d) the annual expenditures for maintaining customs regulations along the borders of these foreign possessions?

The Deputy Minister of Finance (Shri A. C. Guha): (a) A statement showing India's balance of trade position with the foreign possessions in India during the last three financial years is placed on the Table of the House. [*See* Appendix IV, annexure No. 47.]

(b) There are no special agreements governing trade with these territories and our normal import and export control regulations apply.

(c) As regards imports, all goods originating in the Portuguese possessions, with certain exceptions, are allowed to be improted under Open General Licence. The imports from the French possessions are regulated on the same basis as imports from other soft currency countries. In the case of exports, our normal regulations applicable to other soft curerncy countries apply equally to both the foreign possessions in India.

(d) The annual expenditure on the maintenance of customs cordons around the foreign possessions is between Rs. 25 and Rs. 30 lakhs.

Dr. M. M. Das: May I know, Sir, in view of our existing political relations with the Government of the Portuguese possessions in India, any revision of the Open General Licence regarding imports is under consideration by Government?

Shri A. C. Guha: Sir, the present arrangement with the Portuguese Government is that this arrangement will continue up to 30th September 1953. After that the position will be reviewed and a decision will be arrived at.

Dr. M. M. Das: May I know, Sir, which are the commodities on account of the smuggling of which from these possessions, it has become necessary for our Government to impose a stricter customs control upon the borders?

Shri A. C. Guha: I think I have several times stated in this House that we have got sufficient customs control, but even in spite of that there must have been some smuggling. Wherever there is any land frontier, it is not absolutely possible to stop that.

Shri V. P. Nayar: Could I know, Sir, why this information relating to the balance of trade with these places is not given in the Journal of Industry and Trade?

Shri A. C. Guha: I think that question does not concern this Ministry. It may be directed to the proper Ministry.

Kumari Annie Mascarene: May I know, Sir, in how many of these countries the balance of trade is regulated by the barter system?

Shri A. C. Guha: I do not think there is any barter system; at least I would like to have notice.

Sardar Hukam Singh: May I know what was the actual amount, out of specified quotas, released for Portuguese possessions during the last twelve months?

Shri A. C. Guha: As far as my knowledge goes, there is no regular quota. The import is regulated with the Portuguese territories on Open General Licence. There cannot be any question of regular quota.

Dr. M. M. Das: May I know whether in maintaining this customs control upon the border the expected co-operation on the part of the Government of these foreign possessions, was forthcoming and available to our Government?

Shri A. C. Guha: I do not think, Sir, I can say positively that the expected co-operation is available. But anyhow that is a question affecting another Government. I am not in a position to reply to that.

Shri V. B. Gandhi: Could Government give us the figures of revenue collected at these customs so that we may know how it compares with the expenditure of Rs. 25 to 30 lakhs that we are incurring in maintaining these customs?

Shri A. C. Guha: Sir, I have not got that figure with me. I would like to have notice.

Dr. M. M. Das: May I know, Sir, the currencies that are prevailing in these foreign possessions in India—whether they are Indian currency or the currency of the respective foreign States? If they are the foreign currencies, then what is the exchange rate, official and un-official?

Shri A. C. Guha: They have got their own currencies. As for the exchange rate, I would like to have notice.

Defence Science Organisation

***911. Shri M. L. Dwivedi:** Will the Minister of Defence be pleased to state:

(a) what are the sums of money, both recurring and non-recurring, set apart for the working of the Defence Science Organisation;

(b) whether the Organisation will have its own Laboratory and Library;

(c) whether any number of Indian Scientists interested in the Defence Science have been sent abroad or are likely to go in future to study the working of such organisation in other countries;

(d) the methods and facilities devised to give training to scientists with a view to equip them with the preliminary knowledge and skill necessary for tackling problems which the Organisation is to face;

(e) whether any foreign scientists expert in Defence Science have visited this country, and if so, whether any guidance has been sought from them; and

(f) whether the Head of the Organisation will be in permanent employ of the Government?

The Minister of Defence Organization (Shri Tyagi): (a) The following provision has been included in the budget for 1953-54:

Non-recurring expenditure—
Rs. 3,00,000.

Recurring expenditure—
Rs. 12,21,000.

(b) The Organisation has already a separate Laboratory and Library.

(c) The Scientific Adviser, Ministry of Defence, visited the U. K. in 1949 for this purpose. He went again in 1950 in connection with a conference. Two senior Scientists of the Defence Science

Organisation were sent to the U.K. in 1951 for studying certain special problems and techniques.

(d) Scientists are attached for short periods to various service establishments and Ordnance Factories to familiarise themselves with the work carried out there. They also attend Exercises, Senior Officers' Courses, etc.

(e) Yes, on a number of occasions.

(f) The appointment of Scientific Adviser is permanent but the present incumbent is working in an honorary capacity since July 1952.

श्री एम० एल० द्विवेदी : मैं जानना चाहता हूं कि इस फौजी विज्ञान केन्द्र का काम किस इमारत में चल रहा है और क्या सरकार उसके लिये नया भवन बनाने के बारे में तजवीज कर रही है ?

श्री त्यागी : इस वक्त यह काम फिजिकल लेबोरेटरी के भवन में चल रहा है जिस का कि हम डिफेन्स मिनिस्ट्री से किराया दे रहे हैं।

श्री एम० एल० द्विवेदी : कितना किराया है ?

Mr. Deputy-Speaker: What about this *Kiraya*? The hon. Minister must be ready with the answer.

Shri S. N. Das: Arising out of part (e) of the question, what are the countries from which these experts came?

Shri Tyagi: They came from U.K.

Shri Kelappan: How many permanent foreign employees are working in this Organisation?

Shri Tyagi: Sir, the sanctioned and existing strength of this Organisation is as follows:

	Sanctioned strength	Existing strength
Scientific Adviser	1	1
Deputy Chief Scientific Advisers	3	1
Senior Officers	40	19
Junior Officers	100	24

The Prime Minister (Shri Jawaharlal Nehru): May I answer that? My colleague has not fully answered that question. So far as I know, the answer is, none.

Shri Punnoose: Is it a fact that our Defence Science Organisation is mainly working for the development of defence industries?

Shri Tyagi: Yes, Sir. For Defence industries as well as for stores etc, we take their advice.

Shri Punnoose: May I know, Sir, what amount has been allotted for defence industries for 1953-54?

Shri Tyagi: I would like to have notice. It is an independent question.

Mr. Deputy-Speaker: It is a research body.

Shri T. K. Chaudhuri: Is it a fact that weapons and equipment such as radar etc. placed at the disposal of the Defence Science Organisation were either secured from American disposals or were left over here by the British Army and they are already very much outmoded? May we know what arrangements, financial or otherwise, have been made so that Defence scientists can at least keep track of the latest developments in defence science?

Shri Tyagi: Sir, the Defence scientists are advising us with regard to the use of those surplus defence stores which were left here after the war. We are making the best use of those stores. Development of new types of ordnance stores is also done on their advice.

Pandit K. C. Sharma: What are the qualifications, training and experience of the present personnel?

Mr. Deputy-Speaker: All of them?

Shri Tyagi: They have different qualifications.

Shri A. M. Thomas: The hon. Minister stated that the Defence Science Organisation have their own laboratory and library. May I know with regard to the research conducted in the National Physical Laboratory, is it under the Defence Science Organisa-

tion and whether there are any foreign scientists working there?

Mr. Deputy-Speaker: That does not arise out of this.

Shri Tyagi: There is no foreigner.

Shri M. L. Dwivedi: When was the present Adviser appointed and on what pay? Does he continue to get the same pay now?

Shri Tyagi: Dr. D. S. Kothari was appointed in July 1948. He was offered a pay ranging from Rs. 2,000 to Rs. 2,500. But he did not accept this pay. He insisted that he would agree to take only as much as he was drawing in the University, and the University grade is Rs. 1,000 to 1,250. For two years he worked like that and after that he was anxious to go back to the teaching line. He even refused to take this pay and at present he is working in an honorary capacity.

Shri Matthen: May I know, Sir, whether the Ministry of Natural Resources and Scientific Research has anything to do with this organisation? If so, in what form are they represented?

The Prime Minister (Shri Jawaharlal Nehru): This Organisation, as its name implies, works under the Ministry of Defence. But because it deals with scientific matters, it works in the closest co-operation and collaboration with the Ministry of Natural Resources and Scientific Research or rather with the National Physical Laboratory dealing with such matters. In fact they function in the same building.

Shri V. P. Nayar: May I know, Sir, whether any scientists are attached to this Defence Organisation who are capable of analysing the ammunition received from foreign countries, such as the S.T.R.I.M. grenades and if so, whether they are able to find out the actual cost?

Shri Tyagi: They are doing very well. Particularly with regard to S.T.R.I.M. grenades, they have analysed them and have given precious advice to the Department.

Shri M. L. Dwivedi: What is the sanctioned strength of the organisation and what is its present strength?

Shri Jawaharlal Nehru: May I answer this question? I may express my deep satisfaction at the keen interest shown in scientific subjects by hon. Members. But may I suggest that hon. Members who put questions should also have some scientific background, because all their questions reveal a total igorance of what science is and how science works. Our national laboratories and scientists are first-rate. To ask whether they can do simple analysis seems to me to reveal complete ignorance on the part of the questioner.

Mr. Deputy-Speaker: Next question.

Shri Punnoose: Before we go to the next question, I would like to point out that with regard to the employment of foreign nationals, the hon. Minister gave a list, while the hon. Prime Minister said that no foreigners are employed: which of these is more scientific?

Shri Jawaharlal Nehru: The hon. Minister did not give a list of foreign scientists; he gave a list of the complete staff. There is no single foreigner in the Defence Science Organisation.

Mr. Deputy-Speaker: Hon. Members will follow the questions and answers.

Arms Recovered in Pepsu

***912. Prof. D. C. Sharma:** Will the Minister of States be pleased to state:

(a) the number and the names of various arms recovered from the Communists from 1947 to June, 1953 in the State of P.E.P.S.U.; and

(b) whether Government are still recovering arms from the Communists of P.E.P.S.U.?

The Minister of Home Affairs and States (Dr. Katju): (a) A statement containing the required information is placed on the Table of the House. [*See* Appendix IV, annexure No. 48.]

(b) Yes.

Prof. D. C. Sharma: May I know, Sir, if the Ministry has made any estimate of the arms that are yet to be recovered from these persons?

Dr. Katju: My hon. friend will not expect me to enter into conjectures. If we have not recovered them we have not recovered them.

Shri A. M. Thomas: May I know whether these arms have been recovered as a result of any voluntary confession, or have been recovered from information received from other sources?

Dr. Katju: The statement that has been laid on the Table gives information from 1947 to 1953. I am unable to answer without prior notice as to how many were surrendered and how many were recovered and not surrendered.

लाला अचिन्त राम : क्या माननीय मंत्री जी बतला सकेंगे कि यह जो हथियार मिले हैं उनसे कोई यह भी पता चल सका है कि किस सोर्स से यह हथियार उनके पास आये ?

डा० काटजू : इसका जवाब मैं बगैर इत्तिला के नहीं दे सकता ।

Shri N. M. Lingam: May I know if Government have been able to find out anything about the origin of these arms?

Dr. Katju: My hon. friend perhaps did not understand the question put by the previous hon. Member.

Mr. Deputy-Speaker: The same question has been put in the other language.

Shri Veeraswamy: May I know, Sir, whether there is any other party suspected to be possessing arms and ammunitions in PEPSU State?

Dr. Katju: I cannot say. The statement that we have laid on the Table of the Houes shows the recovery of arms after a great deal of search, confined to the Communists.

श्री अजित सिंह : क्या माननीय मंत्री बतला सकेंगे कि जो हथियार कम्यनिस्ट्स से रिकवर किये गये हैं क्या उन के पास लाइसेंस के थे या चोरी के थे ?

डा० काटजू : यह तो आप उन से ही पूछिये ।

Shri Punnoose: The statement shows that of the arms recovered, most are country-made weapons. Is it not a fact that in East Punjab from very olden times there used to be private hoarding of arms, and also, that during the communal riots large quantities of arms came to the place and almost every village had got arms?

Dr. Katju: The inference may be two-fold: either the local people have become communists, or outside communists have supplied country-made weapons to the communists party there. It is a matter of inference.

Mr. Deputy-Speaker: We are arguing this matter as to who is responsible.

Shri Punnoose: He has given a misleading reply. The fact is that weapons are usually held in East Punjab villages.

Mr. Deputy-Speaker: The question is how many have been recovered from communists. The simple answer is so many were recovered. How the communists got them, whether by *chori* or otherwise, do not serve any useful purpose.

Shri V. P. Nayar: May I know whether the recovery of arms has been confined to communists, and also what sort of steps Government took to fix the identity of those persons from whom arms were recovered as communists.

Dr. Katju: The list has been prepared on the basis of credible information. This list is confined to the communist Party. I dare say arms have also been recovered from dacoits, thieves, robbers and others.

Shri Radha Raman: How many communists were prosecuted for unlicensed possession of arms?

Dr. Katju: I require notice.

ASSISTANCE TO SOCIAL WELFARE ORGANISATIONS

*913. **Shri Dabhi:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that in the Five Year Plan there is a provision of Rs. 4 crores for assistance from the Central Government to voluntary social welfare organisations;

(b) if so, whether any programme has been chalked out for the purpose;

(c) the names of the organisations in the various States to which the assistance is proposed to be given;

(d) the amount of assistance proposed to be given to each of these organisations; and

(e) the manner in which each of these organisations is going to spend the amount proposed to be given to it by way of assistance?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) Yes, Sir.

(b) and (c). The matter is under consideration.

(d) The Board's assistance will not normally exceed Rs. 15,000 a year.

(e) This will depend on the nature of the activities of any particular organisation.

Shri Dabhi: Will there be any supervision on these organisations as regards the proper utilisation of the money given to them: if so, to what extent?

Shri K. D. Malaviya: The Board proposes to have an Inspectorate to tackle the work of inspection.

Shri Dabhi: On whose recommendations will these organisations be given assistance?

Shri K. D. Malaviya: The proposal is to appoint panels for different types of help. These panels have not yet been appointed, but the question is under active consideration. But, in the meantime a standing committee has been appointed which will consider applications which are already before the Board. The members of the Standing Committee are: Shrimati Durgabai Deshmukh, Shrimati Indira Gandhi, Shri Saiyidain, and Mr. Kolet.

Shrimati Jayashri: May I know whether the States will be appointing special committees for assigning these grants to various social welfare organisations?

Shri K. D. Malaviya: There is no proposal just now before Government or any information which goes to show that the States propose to have such committees.

Shri T. S. A. Chettiar: May I know whether Government have laid down the principles which will guide the giving of these grants to various institutions?

Shri K. D. Malaviya: Yes, Sir, the Board has laid down certain principles, the most important one being that a society or organisation which makes a request for grants should be engaged in social work and should deserve such financial assistance.

Shri B. K. Das: May I know whether any survey has been conducted regarding the extent of work and the nature of work done by the various organisations, as has been suggested by the Planning Commission?

Shri K. D. Malaviya: That will be the work of the social welfare board assisted by its staff.

श्री एस० सी० सामन्त : क्या मैं जान सकता हूं कि इस साल ५३-५४ के लिए कितना रुपया इसके बारे में मुकर्रर किया है और कितना अब तक खर्च हुआ है ?

ملسٹر آف ایجوکیشن اینڈ نیچرل ریسورسز اینڈ سائنٹیفک ریسرچ (مولانا آزاد) : نہیں - ابھی اس کا کوئی فیصلہ نہیں ہوا ہے - پلاننگ کمیشن نے پوری مدت کے لئے چار کروڑ روپیہ ملظور کئے ہیں - اب پہلے برس میں کتنا روپیہ خرچ ہو گا - بورڈ اس کا فیصلہ حالات دیکھ کر کریگا -

[**The Minister of Education and Natural Resources and Scientific Research**

(Maulana Azad): It has not been decided as yet. The Planning Commission has ear-marked a sum of rupees four crores for the whole period. How much would be spent during the first year, would be decided by the Board after taking all the relevant factors into consideration.]

Shri N. M. Lingam: In view of the fact that most of the social welfare organisations in the country are in the cities, what steps do Government propose to take to extend the benefits of the scheme to the rural areas?

Shri K. D. Malaviya: Government are quite alive to the necessity of extending the help given by the Social Welfare Board to rural programmes.

Shri Kelappan: May I know how many rural schools for rural workers have been set up?

Shri K. D. Malaviya: I am not in a position to say just now.

Shri M. D. Ramasami: May I know what is the nature of the social service rendered by these organisations, and what is the basis on which money is granted to them?

Shri K. D. Malaviya: Sir, all these will be considered by the Social Welfare Board at the time of considering applications.

Shrimati Renu Chakravartty: May I know how many social organisations have applied for help?

مولانا آزاد : اس کی تعداد بھی ابھی بتلائی جاسکتی ۔

[**Maulana Azad:** The number cannot be given off-hand.]

Kumari Annie Mascarene: May I know what amount is utilised by the Bharat Sewak Samaj in this respect?

Shri K. D. Malaviya: So far, none from the funds of the Social Welfare Board.

Shri Muniswamy: May I know whether it is the Centre or the States that choose these social welfare organisations?

Shri K. D. Malaviya: It is the Central Board, to which I have referred, which will consider the applications.

CIVIL LIST

***914. Shri Dabhi:** (a) Will the Minister of **Home Affairs** be pleased to state whether it is a fact that Government propose to prepare an up-to-date Civil List?

(b) If so, what is the approximate time within which it will be published?

The Deputy Minister of Home Affairs (Shri Datar): (a) and (b). It is proposed to publish the List half yearly. The first edition of the List corrected up to 1st October 1950 was published in January, 1952. The next issue which will be corrected up to 31st March 1952, is expected to be out within the next few days. Arrangements have also been made with the Printers that the future issues should be published regularly in January and June each year.

Shri Dabhi: May I know whether Members of Parliament will be supplied with copies of this?

Shri Datar: I presume that they will be.

Mr. Deputy-Speaker: They will be kept in the Library.

Shri M. D. Ramasami: May I know whether the List will include the State Services also?

Shri Datar: Only all-India services and members of all-India services working in States.

COMMITTEE ON LOW COST HOUSING

***915. Shri K. P. Sinha:** (a) Will the Minister of **Natural Resources and Scientific Research** be pleased to state the date on which the Committee on Low Cost Housing submitted its report to the Government of India?

(b) What are its main recommendations?

(c) Have Government considered its report?

(d) If so, what steps have been taken in this regard?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) The report was submitted on the 6th April, 1953.

(b) A statement giving the required information is laid on the Table of the House. [*See* Appendix IV, annexure No. 49]

(c) and (d). The report is under the consideration of the Government of India.

Shri K. P. Sinha: Is there any proposal to put model houses as exhibits before the forthcoming International Housing Exhibition, in the recommendations of this Committee?

Shri K. D. Malaviya: Yes, Sir, a recommendation was made by the Committee of the C.S.I.R. and Government have accepted the recommendation, to hold an International Housing Exhibition; and this Exhibition will exhibit all types of houses, not only from the country but also from outside the country.

Shri K. K. Basu: May I know whether the low-cost houses have been manufactured from indigenous materials or from imported materials?

Shri K. D. Malaviya: Sir, we are referring to the recommendations of the Committee and not to any manufactured house. These have been considered by the Government, and the Works, Housing and Supply Ministry and the Central Public Works Department have accepted part of the recommendations and are going to set up an organisation to see how many of the recommendations can be implemented.

Shri S. C. Samanta: Over and above the holding of an International Exhibition, do Government contemplate to make any other experiment in the country in the mean time?

Shri K. D. Malaviya: Yes, Sir. The Works, Housing and Supply Ministry are very soon considering to set up an Experimental Division of the C.P.W.D. to construct houses according to the new ideas given by this Committee.

Shri K. P. Sinha: May I know whether there is any programme of rural type low cost housing also?

Shri K. D. Malaviya: Yes, Sir, all these programmes are before Government.

ITALIAN MISSIONARIES

*916. **Shri Punnoose:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government are aware that two Italian Missionaries have been conducting anti-Indian propaganda in Port Cochin; and

(b) if so, what action Government propose to take in the matter?

The Minister of Home Affairs (Dr. Katju): (a) and (b). Some reports were received in the matter and were referred to the Madras Government for investigation and report. This report was received a week ago and is under consideration.

Shri Punnoose: Are Government aware of the number of foreign missionaries in the Port Cochin area, and out of them how many are Italians?

Dr. Katju: I require notice.

Shri Punnoose: Has it come to the notice of the Government that the Italian missionaries are taking an anti-Indian view with regard to our position on Goa and the Portugal Government?

Dr. Katju: That is a matter under investigation.

Mr. Deputy-Speaker: That is the main question itself.

Dr. Ram Subhag Singh: On these anti-Indian activities of these missionaries was the Madras Government asked to submit a report?

Dr. Katju: I have given an answer, that we received certain complaints, we referred them to the Madras Government for investigation and their report has just been received.

Shri Muniswamy: What kind of anti-Indian propaganda do these people do?

Dr. Katju: The complaint was that their attitude was anti-Indian and they were publishing very anti-Indian articles in the foreign press, and other anti-Indian activities.

Shri Frank Anthony: Is it a fact, apart from their anti-Indian activity, that in many States the missionaries are both persecuted and also falsely prosecuted?

Dr. Katju: No, no.

Mr. Deputy-Speaker: That does not arise out of this.

Shri V. P. Nayar: May I know from which source the complaints came—from private persons, from the Central Government's Intelligence or from the State Government?

Dr. Katju: We received complaints. I cannot say whether they were private complaints: probably from Indian Christians. Many complaints have been received—Mr. Anthony may know—from Indian Christians.

Shri Sarangadhar Das: In consideration of the fact that there are complaints of this nature from various areas in India, are Government taking any steps to watch before any complaints come?

Dr. Katju: I do not quite understand this. How do you watch before complaints come? When complaints come they are investigated.

Shri Sarangadhar Das: I mean, inasmuch as there are complaints from Cochin, and previously from Assam, is it the intention of Government to set an Enquiry Committee to enquire into these allegations if they are true and to take any steps necessary?

Dr. Katju: May I just say, Sir, that it is my duty to watch all persons, all groups and organisations!

Shri Matthen: Does the Madras Government confirm these allegations about the Italian missionaries?

Dr. Katju: Sir, I do not think it will be desirable to disclose the contents of that report till we have finally considered it.

Shri Frank Anthony: Will Government take steps to see that any witch-hunting does not stampede into a policy of interfering with the valuable education given by Missionaries?

Dr. Katju: My hon. friend may be quite certain that there will be no witch-hunting and justice will be administered to everybody—missionaries included.

CASES OF ILLEGAL GRATIFICATIONS

*917. **Shri Radha Raman:** (a) Will the Minister of **Home Affairs** be pleased to state how many cases of illegal gratification were detected during the year 1952-53 from the various Government departments?

(b) What was the action taken against them?

(c) Has there been any decrease in such cases compared to those in the last two years 1951 and 1952?

The Deputy Minister of Home Affairs (Shri Datar): (a) 142.

(b) and (c). A statement is laid on the Table of the House; the number of cases detected is lower than in 1950-51 and higher than in 1951-52. [*See* Appendix IV, annexure No. 50.]

Shri Radha Raman: May I know what is the number of officers involved in this?

Shri Datar: The number of officers is very little, hardly 15.

Shri Radha Raman: May I know how many of these cases went to the Public Service Commission for opinion and advice?

Shri Datar: I have no information regarding this at present.

Shri Dabhi: May I know whether it is a fact that the Planning Commission has recommended that officials who have no reputation for honesty should not be appointed to posts where there is considerable scope for discrimination and whether the Government has prepared a list of such officers?

Shri Datar: The Government have ecommended investigation and a ques-

tion on the very subject was answered only a few days ago.

Pandit K. C. Sharma: In view of the fact that under the present law it is difficult to get conviction for illegal gratification, will the Government simplify the law?

Shri Datar: Sir, the procedure is already simple and it cannot be made more simple. It would then be at the cost of justice.

Shri Gidwani: Is it a fact that the Home Minister, replying to a question in the Council of States, stated that some cases of corruption against high officers were hanging fire for three to five years as the papers regarding action to be taken against them had to be finally sent to the Union Public Service Commission and the Government could not dictate to them that they must send their opinion before such and such a date? If so, will the Government let us know whether the opinion of the Commission on the action to be against the former Industries Secretary will take five years?

The Minister of Home Affairs and States (Dr. Katju): My hon. friend has quoted an answer which I gave in the Council of States. But, I do not know what exactly is the question that he has put to me now.

Mr. Deputy-Speaker: Order, order. May I know from the hon. Member whether he is quoting from past debates or from answers that have been given during the current session?

Shri Gidwani: During the current session, Sir.

Mr. Deputy-Speaker: I do not allow that. We cannot have cross-examination here on the answers that have been given in the Council of States. The hon. Members there are quite alive and take interest and are alert along with the Members of this House. I will not allow these questions to be put on the floor of this House. Such a practice is allowed nowhere, neither in the House of Commons or anywhere else.

Sardar Hukam Singh: Were not the bribe-givers also brought to book in these cases?

Shri Datar: Sir, in some cases the bribe-givers are also proceeded against.

Sardar Hukam Singh: Were the officers, against whom enquiries were made, found to have possessed property beyond their means or beyond what they could have gained by lawful means?

Shri Datar: I have not got the facts of the different cases. But I will make enquiries.

लाला अचिन्त राम : क्या माननीय मंत्री बतलायेंगे कि गवर्नमेंट के मुहकमों में से कौन सा मुहकमा अव्वल दर्जे पर रहा जहां ऐसे केसेज पाये गये ?

Dr. Katju: इसमें बड़ी मुश्किल है... You should not have a competition among the departments in this.

लाला अचिन्त राम : जो मुहकमे आप की गिनती में हैं उन में से कौन अव्वल रहा ?

Shri T. N. Singh: The hon. Deputy Minister stated that the procedure is simple. May I know how much time is ordinarily taken in enquiring into these cases and bringing the guilty persons to book?

Shri Datar: The average period would be less than a year.

Shri M. S. Gurupadaswamy: May I know in which department the cases are more?

Shri Datar: It is not proper to make a discrimination.

Shri T. N. Singh: Is it not a fact that only two sessions ago, the hon. Minister for Home Affairs was of the view that the procedure needs modification and change with a view to speedy action?

Shri Datar: Sir, the procedure did require some changes and those changes are being effected, but still the procedure is fairly simple

HISTORY OF FREEDOM MOVEMENT IN INDIA

*918. **Shri S. C. Samanta:** Will the Minister of **Education** be pleased to state:

(a) whether State Committees to assist the Board of Editors in collection of materials for the compilation of the History of Freedom Movement have been formed; and

(b) if so, in which States?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) Yes.

(b) Bombay, Saurashtra, Vindhya, Pradesh Uttar Pradesh, West Bengal, Orissa, Madhya Bharat, Madhya Pradesh, Assam, Hyderabad, Rajasthan, Manipur, Coorg and Kutch.

श्री एस० सी० सामन्त : दूसरे राज्यों में अभी तक कमेटी क्यों नहीं बनाई गई ?

श्री के० डी० मालवीय : गवर्नमेंट ऑफ इंडिया ने जनवरी, १९५३ में सिफारिश की थी कि ज़रूर कमेटियां बना दी जायें, आशा है कि वहां भी शीघ्र ही बन जायेंगी।

श्री एस० सी० सामन्त : इन राज्य कमेटियों में से कोई आई० एन० ए० के बारे में भी खबर इकट्ठा करने की कोशिश कर रही हैं या नहीं ?

श्री के० डी० मालवीय : इसकी सूचना मुझे नहीं है। कमेटी इस के बारे में ज़रूर कुछ खबर रखती रहेगी।

Shri Dabhi: May I know the names of the members of the Bombay State Committee?

Shri K. D. Malaviya: Sir, I have not got the names of the Bombay State Committee.

Shri B. C. Das: May I know whether Universities and other cultural associations were consulted before these Boards were formed?

Shri K. D. Malaviya: I am not aware of any such consultations.

Shri B. C. Das: May I know who constitutes these Boards?

Shri K. D. Malaviya: These Committees are created at the State level on the request of the Government here and they are to work under the Central Board which has been constituted to write this History.

Shri B. C. Das: May I again ask whether any public organisations were consulted before these were formed?

Shri K. D. Malaviya: All these must have been taken into consideration.

Shri Punnoose: The hon. Minister gave a list of the States where the State Committees have been formed. May I know whether these are all the States interested in this affair or whether Government is considering forming such organisations in other States also?

Shri K. D. Malaviya: The Board of Editors had recommended the formation of these State Boards and the States I have already mentioned have already formed these Committees. The rest are in the process of forming.

Shri Muniswamy: May I know the name of the person from the South who is on the Board of Editors?

ملسٹر آف ایجوکیشن اینڈ نیچرل ریسورسز اینڈ سائنٹیفک ریسرچ (مولانا آزاد): بورڈ اس طرح نہیں بنایا گیا ہے کہ ہر اسٹیٹ کا آدمی لیا جائے -

[**The Minister of Education and Natural Resources and Scientific Research (Maulana Azad):** The Board is not constituted in a manner as to include one person from each and every State.]

Dr. Ram Subhag Singh: The Committee for writing the history of the freedom movement of India was, I think, formed in 1950-51. May I know whether that Committee did any work before the appointment of the new Committee under whose auspices so many State Committees are being formed?

مولانا آزاد : اس وقت جو کمیٹی بنی تھی وہ ایک خاص حد تک کام

کر سکی تھی اور اس کی رپورٹ اس نے دے دی تھی - اس کے بعد وہ کمیٹی ختم ہو گئی - یہ بورڈ جو اب بنایا گیا ہے نئے سرے سے بنایا گیا ہے -

[**Maulana Azad:** The previous Committee had been able to do its work to a certain extent, and it submitted its report. That Committee has been dissolved now. The present Board has been set up *de novo*.]

डा० राम सुभग सिंह : कितने दिनों में यह उम्मीद की जाती है कि यह कमेटी इस स्वातन्त्र्य संग्राम के इतिहास को पूरी तरह से लिख सकेगी ?

श्री के० डी० मालवीय : यह बोर्ड तीन साल के लिये बनाया गया है ।

डा० राम सुभग सिंह : बोर्ड के अन्दर लिखेगा कौन ?

श्री एस० सी० सामन्त : क्या माननीय मंत्री जी के पास कोई ऐसी खबर है कि स्टेट गवर्नमेन्ट्स या बाहर से कोई रयर मैनुस्क्रप्ट भेजे गये हैं ?

श्री के० डी० मालवीय : मेरे पास इस की सूचना नहीं है ।

Shri Velayudhan: May I know whether there are members on this Board who were against the Freedom Movement and who had nothing to do with the freedom movement?

Shri H. N. Mukerjee: In view of the fact that this Board is being composed mainly of professional historians and members of the Congress Party, may I know what steps Government are taking to see to it that the contribution of different elements in the freedom movement like the working classes or the Muslim minority get a prominent and proper place in the History that is to be written?

مولانا آزاد - یہ صحیح نہیں ہے کہ اس بورڈ میں صرف کانگریس پارٹی کے ہی آدمی لئے گئے ہیں - ایسے آدمی بھی لئے گئے ہیں جو کانگریس میں نہیں تھے - اور نہیں ہیں -

[**Maulana Azad:** It is not correct to say that the Board is composed of congressmen alone. There are persons in it who have never been in congress.]

श्री पी० एन० राजभोज : वह कौन सी पार्टी के लोग थे यह बतला सकते हैं ?

The Prime Minister (Shri Jawaharlal Nehru): I am not aware of any Committee or Board, ever at any time, having produced a History. Individuals do it. All that the Committees and Boards can do is to collect the materials. After listening to the fact that every State has put up a Committee, frankly I just do not know what these Committees are doing today.

An Hon. Member: Nothing.

Shri Jawaharlal Nehru : As my colleague points out, what I mean is this. Collection of materials is one thing. That everybody can do. A Committee organises that collection. Material does not necessarily mean what ordinary people may call History. Every little fact, every particular notice of a particular period may have some significance: something that happened in 1920, or 1930 and so on. These Committees are meant to collect the materials. In fact, apart from these Committees, we have addressed all kinds of organisations to help in the collection of the materials. It is open to every Member of this House, every cultural or other organisation to help in that. That has to be sifted and ultimately the writing work presumably has to be done by by some individual to be chosen later.

Shri H. N. Mukerjee: May I know what steps Government are taking to see that the material is collected with a proper sense of perspective which is the most important matter?

Shri Jawaharlal Nehru: The collection of the materials certainly may require some perspective. But, the real perspective comes in in dealing with the material collected. One may reject that. But, the first attempt should be to collect all kinds of materials, everything that is available and then to apply the perspective to it.

DETENTION UNDER THE PREVENTIVE DETENTION ACT

*919. **Sardar A. S. Saigal:** Will the Minister of **Home Affairs** be pleased to state how many persons in all the Part A, B and C States have been detained under the Preventive Detention Act up to the 15th July, 1953, since this Act came into force?

The Deputy Minister of Home Affairs (Shri Datar): The information is being collected and will be laid on the Table of the House when ready.

I may inform the hon. Member that on the 17th August 1953, the Ministry of Home Affairs has issued a statement giving full information regarding detentions as on 30th June 1953.

सरदार ए० एस० सहगल : क्या मंत्री महोदय यह बताने की कृपा करेंगे कि जो लोग प्रिवेंटिव डिटेंशन ऐक्ट के मुताबिक़ जुलाई सन् १९५३ तक रोके गये हैं उन सब के सारे समाचार प्राप्त करने हैं ? और क्या वे सब आप सभा भवन के सामने रखने की कृपा करेंगे ?

Shri Datar: Yes; all that information will be laid on the Table of the House.

Shri K. K. Basu: May I know how many of these detenus are detained for political reasons and how many for black-marketing or some other anti-social activities?

Shri Datar: That information will also be collected.

Kumari Annie Mascarene: May I know whether Government give any allowance to the families of these detenus?

Mr. Deputy-Speaker: That is a different matter. That does not arise here. We are going away to some other subject.

Shri Punnoose: Am I to understand from the reply of the hon. Minister that the Central Government is not collecting materials from month to month or during a period and that a proper check up is not made on the working of this Act?

The Minister of Home Affairs and States (Dr. Katju): I think every three months figures are collected and laid on the Table of the House in accordance with a promise which was given at the time when the Bill was under consideration last year.

Shri K. K. Basu: May I know whether the Government of India is checking whether all the provisions of the Preventive Detention Act are being followed by the State Governments in its administration?

Dr. Katju: I have every hope that that is being done.

CONFERENCE OF POINT FOUR EXPERTS

*920. **Shri L. N. Mishra:** Will the Minister of **Finance** be pleased to state:

(a) whether a conference of U. S. Point Four Experts was held at Agra some time in February 1953; and

(b) if so, the subjects discussed and recommendation made by them?

The Parliamentary Secretary to the Minister of Finance (Shri B. R. Bhagat): (a) Yes, Sir.

(b) The Government of India have no information as they were not concerned with the conference which was convened by the U. S. Government.

Shri L. N. Mishra: May I know, if the Government of India was not connected with this conference why the venue of this conference was chosen in India?

Shri B. R. Bhagat: That was primarily for the U.S. Government to decide. The U.S. Embassy at New Delhi, with the permission of the Government of India, have held this conference here.

Shri L. N. Mishra: May I know the names of the countries that participated in this conference?

Shri B. R. Bhagat: Officers of the American TCA Administration in India, Afghanistan, Pakistan, Nepal, Burma and Indonesia participated.

Shrimati Tarkeshwari Sinha: May I know if there is any possibility of Point Four Aid being stopped in the near future because of the attitude taken by the American Senate to discourage this aid?

Shri B. R. Bhagat: So far as the attitude of the American experts is concerned, they know it better. But, from the reports that we get, there is no likelihood of any misapprehension expressed by the hon. Member.

Kumari Annie Mascarene: May I know whether the Conference was held in accordance with the Pact signed with the India Government?

Shri B. R. Bhagat: No, Sir. There is no mention in the Pact. But, these conferences are held primarily for the purpose of sharing their experiences in the T.C.A. work in the different countries and mutual discussion.

Shri K. K. Basu: May I know whether the Indian expert working under this Point Four Programme has submitted any report and if so, whether the Government of India is aware of it?

Shri B. R. Bhagat: This conference is of the staff of the US TCA Administration in Washington and their representatives in the various countries. The report of the Indian expert does not arise out of this question. If the hon. Member means Indian Point Four personnel working in India and Indian organisations, they also participated. The TCA representatives of the American Government participated: not Indian.

Shrimati Renu Chakravartty: In view of the fact that experiences about working of this organisation in various countries were being discussed, was it not proper that the Indian experts should have also been invited to attend this conference.

Shri B. R. Bhagat: This was primarily an internal affair for the U.S. Government. They were holding this conference for their own purposes.

Mr. Deputy-Speaker: Seth Govind Das: absent; Dr. Ram Subhag Singh's question has been transferred to 9th September. Next question.

IMPORT DUTIES ON EDUCATIONAL MATERIALS ETC.

*924. **Shrimati Tarkeshwari Sinha:** Will the Minister of **Education** be pleased to state:

(a) whether the Government of India propose to ratify the U.N.E.S.C.O. sponsored international agreement which abolishes import duties on a wide range of educational, scientific and cultural materials; and

(b) if not, the reason therefor?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) No.

(b) It is not possible for the Government to exempt from customs duty articles like works of art and provide for unlimited foreign exchange for certain other articles as stipulated under this agreement.

However, the Government are in full sympathy with the basic objectives of the UNESCO Agreement and have adopted a liberal policy with regard to it. Every effort is being made to provide maximum facilities to public institutions.

Shrimati Tarkeshwari Sinha: May I know which are the countries which have ratified this Agreement?

Shri K. D. Malaviya: Fourteen Member States have already agreed upon these conditions and ratified the Agreement.

Shri T. S. A. Chettiar: May I know whether the Government is in sympathy with their Resolution though they are not able to implement it fully and will the Government lay on the Table of the House a statement showing the

extent to which they have sought to meet the requirements?

Shri K. D. Malaviya: Yes, Sir. As I have said, every effort is being made to provide maximum facilities to public institutions. I will place on the Table of the House a statement showing all the specific concessions that are being contemplated in this direction.

Shri T. S. A. Chettiar: When will they place the statement on the Table of the House?

Shri K. D. Malaviya: Very early.

Shrimati Tarkeshwari Sinha: May I know whether this body has presented some scientific materials for the laboratories?

Mr. Deputy-Speaker: The hon. Member may speak a little more slowly, distinctly and courageously, please.

Shrimati Tarkeshwari Sinha: May I know whether this U.N. body has presented some scientific materials to our laboratories?

Shri K. D. Malaviya: I am not aware of the UNESCO presenting any such articles.

DEVELOPMENT OF COMMUNICATION IN KASHMIR

*925. **Dr. M. M. Das:** Will the Minister of States be pleased to state the total amount of money sanctioned and spent for development of communication by the Government of India in Kashmir?

The Minister of Home Affairs and States (Dr. Katju): Rs. 325.63 lakhs.

Dr. M. M. Das: May I know the mileage of roads that has been added by this expenditure?

Dr. Katju: I can give you this. The main expenditure, really the only expenditure is on the Jammu-Pathankot road, part of which is in the Indian territory and part in Kashmir territory. The construction in the Kashmir territory has required 323 lakhs and this amount has been spent. A sum of Rs. 2 lakhs and odd has been spent on survey work.

Dr. Ram Subhag Singh: Mileage?

Dr. Katju: Mileage I could not tell you.

Dr. M. M. Das: Am I to understand that only the Jammu-Pathankot road has caused all this expenditure and no other road has been taken up?

Dr. Katju: There is no other road taken up. We have had to spend some money on maintaining the roads and probably building for military purposes. The expenditure has been increased on maintenance because of heavy pressure of traffic on these roads.

Shri Gidwani: Will the Government review the position regarding the construction of the tunnel road between Jammu and Srinagar costing nearly 3 crores of rupees till the final set up of the Jammu and Kashmir State is decided, particularly in view of the recent happenings and the attitude of Sheikh Abdulla and our erstwhile colleagues inside Parliament and outside?

Dr. Katju: It is a purely hypothetical question. I think the road will take a long time to build. Even the survey has not been completed.

MINTING FALSE COINS

*926. **Shri C. R. Iyyunni:** Will the Minister of States be pleased to state:

(a) how many prosecutions were launched against those who were minting false coins, manufacturing false notes, and then circulating or selling them as good money in Part 'B' States particularly in Travancore-Cochin State in the last two years; and

(b) the value and denominations of notes and coins seized?

The Minister of Home Affairs and States (Dr. Katju): (a) In Travancore-Cochin three prosecutions were launched against persons found in possession of counterfeit coins, four prosecutions for manufacturing and selling counterfeit currency notes and 10 prosecutions for possession of counterfeit currency notes. Five prosecutions were launched in Rajasthan against persons accused of minting counterfeit coins. Information from other Part B States is

being collected and will be placed on the Table of the House, when received.

(b) A statement showing the value of currency notes and counterfeit coins seized is placed on the Table of the House. [*See* Appendix IV, annexure No. 51]

Shri C. R. Iyyunni: May I know, Sir, whether any one of the prosecutions has ended in any conviction?

Dr. Katju: The information is that out of prosecutions, 22 are pending; one case has been decided and the accused sentenced to one year's imprisonment and a fine of Rs. 100/-; in one case, there was an acquittal two cases are included in the list of undetected cases.

Shri C. R. Iyyunni: What is the extent of time taken for coming to a decision with regard to these cases?

Mr. Deputy-Speaker: Time taken for what?

Shri C. R. Iyyunni: For coming to a decision by the Court.

Dr. Katju: For investigation and trial?

Shri C. R. Iyyunni: Not for investigation. After launching the prosecution, what is the time taken to come to a decision?

Dr. Katju: There are two things. There is the stage of investigation. That depends upon the nature of the offence, the number of accused and the nature of the case. So far as the trial is concerned, that is a matter for the Magistrate or the Judge. Some cases are committed to sessions, and they take a longer time. Some cases are disposed of by the Magistrate. But, speaking as one who has had some experience, these are complicated cases which require some time also for investigation and for trial in Courts.

Kumari Annie Mascarene: May I know, Sir, whether the Government is aware that some Government officers are also involved in this case, and this case has been delayed unnecesasrily long?

Dr. Katju: Which case? There are 22 cases.

Kumari Annie Mascarene: The false currency case.

Dr. Katju: There are 22 false currency cases. Have you in mind any particular case out of these 22, or all of them?

Kumari Annie Mascarene: The false currency case detected in Trivandrum City itself.

Dr. Katju: Very well, I shall make enquiries.

Shri K. Subrahmanyam: From the Statement we find 3,388 hundred rupee notes were found. May I know whether they have all been collected from a single person or in the course of circulation?

Dr. Katju: I really require notice. I have only given you the total details that I received from the State Government. As to whether this is the product of detection in one case or it is from several cases, I do not know. It does appear as if it were a sort of cottage industry in Travancore-Cochin.

Shri Achuthan: May I know, Sir, whether, in the investigation of these cases, the asistance of the Central Police Department has been taken by the Travancore-Cochin Government?

Dr. Katju: I am not aware of it. I shall make enquiries.

Shrimati Ammu Swaminadhan: The Minister just now replied to a question that the making of currency notes is a "cottage industry" in Travancore-Cochin. Is that "cottage industry" still going on, and is Government vigilant about stoppnig this kind of "cottage industry"?

Dr. Katju: It is an exceedingly serious offence, and in my opinion, anyone who is convicted of it, ought to be severely punished. Why I used the word "cottage industry" is I was really most surprised that in such a small State as Travancore-Cochin which is so highly advanced and so highly literate, this thing should have been going

on such a gigantic scale. That is all that I meant.

RAILWAY EMPLOYEES RESIDING IN 'C' AREA

*927. **Shri P. Subba Rao:** (a) Will the Minister of **Finance** be pleased to state whether the merger of half the dearness allowance with the pay adversely affected the employees drawing salary from Rs. 76 to Rs. 107 in the matter of house-rent allowance for persons residing in 'C' areas such as Waltair, Kharagpur and Tatanagar?

(b) Do Government propose to extend the protection given to employees in 'A' and 'B' areas to those in 'C' areas as well?

The Deputy Minister of Finance (Shri M. C. Shah): (a) and (b). "Persons residing in 'C' areas and drawing salary from Rs. 76 to Rs. 107 per mensem would have been adversely affected in the matter of house-rent allowance by the merger of half the dearness allowance with the pay, but protection has been given to them just as it has been given to employees in 'A' and 'B' areas similarly affected".

Shri P. Subba Rao: May I know what sort of protection has been given?

Shri M. C. Shah: Any immediate drop in the emoluments caused by the inclusion of the dearness pay should be protected by the grant of a personal compensatory allowance which will be absorbed in increases in emoluments consequent on drawing of increments, promotions etc.

ATOMIC WEAPONS

*928. **Shri Buchhikotaiah:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the Army Commanders and Chiefs of Commonwealth countries met in August, 1953 to study the use of atomic weapons; and

(b) if so, whether the Commander-in-Chief of the Indian Army attended the above meeting?

The Minister of Defence Organisation (Shri Tyagi): (a) The Chief of the Imperial General Staff's Annual Exercise was held in the U.K. from 11th to 13th August 1953. Details of the discussions are not available.

(b) Yes.

Shri Buchhikotaiah: What are the countries represented in the conference?

The Prime Minister (Shri Jawaharlal Nehru): Commonwealth conference!

Shri K. K. Basu: May we know whether our representative had not yet submitted any report as to his participation in the conference?

Shri Tyagi: Our representative is to return to India after four or five days.

NATIONAL INCOME

*929. **Shri N. B. Chowdhury:** Will the Minister of **Finance** be pleased to state:

(a) whether the Government of India have taken any steps to publish annually a statement regarding the position of National Income in India along with the publication of the Progress Report of the Five Year Plan; and

(b) if not, what steps Government propose to take to assess the National Income position along with the progress of the Plan?

The Parliamentary Secretary to the Minister of Finance (Shri B. R. Bhagat): (a) and (b). The question of publishing an annual statement regarding the National Income of India along with the Progress Report of the Five Year Plan will be considered after the recommendations of the National Income Committee in their final report become available. This report is expected to be finalised shortly.

Shri N. B. Chowdhury: May I know whether the Committee has been given any instructions as to the necessity of determining this position of national income in urban areas and also in rural areas and other figures according to different income groups?

Shri B. R. Bhagat: The final report of the Committee is still to be received.

Shri N. B. Chowdhury: May I know whether any terms of reference have been given to this Committee?

Mr. Deputy-Speaker: Without terms of reference, how can the Committee. report?

Shri N. B. Chowdhury: I want to know whether any terms of reference have been given to this National Income Committee.

Shri B. R. Bhagat: The terms of reference are old ones. I have not got them.

Shri H. N. Mukerjee: Is it a fact that the work of the National Committee has been somewhat befuddled by the controversy between the Indian Statistical Institute and the Gokhale Institute at Poona?

Shri B. R. Bhagat: The report will be available very shortly.

WRITTEN ANSWERS TO QUESTIONS

राजस्थान को सहायता

*९२१. **सेठ गोविन्द दास :** क्या वित्त मंत्री यह बताने की कृपा करेंगे :

(क) वर्ष १९५३–५४ में दुर्भिक्षग्रस्त क्षेत्रों में सहायता कार्य के लिये राजस्थान को कितनी सहायता देने का वचन दिया गया है ?

(ख) जून १९५३ के अन्त तक सहायता कार्य पर वास्तव में कितना धन व्यय हुआ है ?

The Deputy Minister of Finance (Shri A. C. Guha): (a) The Government of India have agreed to give the following financial assistance to the Rajasthan Government in 1953-54 towards expenditure incurred on scarcity and famine relief measures:—

(i) A grant-in-aid equal to 50 per cent of the actual expenditure on gratuitous relief, water supply and cattle conservation subject to a ceiling of Rs. 17:32 lakhs.

(ii) A loan equal to 50 per cent of the actual expenditure on construction of roads and tanks subject to a ceiling of Rs. 42:5 lakhs.

(iii) A loan of Rs. 25 lakhs for giving ordinary *taccavi* loan and a further loan of Rs. 5 lakhs for 'fodder *taccavi*'.

(b) The State Government have furnished the following estimates of the expenditure incurred during the months of May and June, 1953:—

	(In lakhs of Rs.)
Relief works	38·00
Gratuitous relief	3·00
Drinking water	3.32
Cattle conservation	2·50
TOTAL	46 82

विदेशी पूंजी

*९२२. **सेठ गोविन्द दास :** क्या वित्त मंत्री यह बताने की कृपा करेंगे (१) १९५२ के अन्त में तथा (२) मई १९५३ के अन्त में भारतवर्ष में कुल कितनी विदेशी पूंजी लगी हुई थी ?

The Deputy Minister of Finance (Shri A. C. Guha): The total long term foreign investment in India as on the 30th June 1948 was Rs. 613·11 Crores. Information for a later period is not available but steps are being taken to bring the information up to date.

SCHOOL OF TOWN AND REGIONAL PLANNING

*930. **Shri Muniswamy:** (a) Will the Minister of **Education** be pleased to state the amount of grant that is proposed to be given on the recommendation of the All-India Council for Technical Education to establish a School of Town and Regional Planning in Delhi?

(b) Will the School be started on an All-India basis?

(c) If so, how are the States encouraged to participate for studies?

(d) What is the nature of the subjects that are expected to be taught to students in this School?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) The details are being worked out and the amount of the grant has not yet been decided.

(b) Yes.

(c) The School will provide facilities for the training of engineers, architects and others engaged in town planning work in the States.

(d) A statement giving the details of the courses is laid on the Table of the House. [*See* Appendix IV, annexure No. 52]

ARMY TRAINING CENTRES

***931. Shri Ajit Singh:** Will the Minister of **Defence** be pleased to state how many Army Training Centres from the Punjab have been amalgamated with other Training Centres?

The Deputy Minister of Defence (Sardar Majithia): The following two regimental centres have been amalgamated:—

(i) Sikh Light Infantry Regimental Centre which was located at Ferozepore has been amalgamated with the Punjab Regimental Centre at Meerut.

(ii) 4 Gorkha Rifle Regimental Centre which was located at Bakloh, has been amalgamated with 1 Gorkha Rifle Regimental Centre at Dharamsala. The amalgamated centre is known as 14 Gorkha Training Centre and is located at Dharamsala.

SCHOOL OF TOWN AND REGIONAL PLANNING

***932. Shri Buchhikotaiah:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Government is going to open at Delhi a school of town and regional planning; and

(b) if so, when it will be opened?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) Government propose to establish a School of Town and Regional Planning in Delhi as a joint enterprise of the Government and the Institute of Town Planners.

(b) Details are being worked out. It is not possible at this stage to give a definite indication of the date or time when the School will start functioning.

RECRUITING CENTRES FOR I.A.F. IN BIHAR

***933. Shri Bibhuti Mishra:** Will the Minister of **Defence** be pleased to refer to the reply given to unstarred question No. 1275 asked on the 29th April, 1953 and state:

(a) whether Government are aware that the Recruiting Centres at Calcutta and Kanpur are far from Bihar and that in Bihar, therefore there are no proper facilities for recruitment to the I.A.F.;

(b) whether Government have considered the desirability of opening a separate Regional Recruiting Centre for I.A.F. in Bihar; and

(c) if not, whether Government propose to consider this question?

The Minister of Defence Organisation (Shri Tyagi): (a) Although there are no I.A.F. Recruiting Centres in Bihar, the I.A.F. Recruiting Officers visit the area periodically.

(b) and (c). Having regard to the funds available it is not possible to open a Centre in each state and therefore centres are established on a zonal basis. These Centres utilise the "Army Recruiting" Centres within their zone. Bihar has three such Army recruiting Centres. Government consider that, in the circumstances, this is the best arrangement possible.

SALES TAX

***934. Dr. J. N. Parekh:** Will the Minister of **Finance** be pleased to state:

(a) whether a complex situation has arisen out of a recent judgment of

Supreme Court on the definition of the word 'Sale';

(b) whether Government are aware of the great hardship the mercantile community of different States is put to with regard to Sales Tax owing to the attitude of various State Governments;

(c) whether Government have received any memorandum from mercantile community of various States; and

(d) what steps Government propose to remedy this situation?

The Deputy Minister of Finance (Shri A. C. Guha): (a) The Government of India are aware of the situation that has arisen due to the interpretation, recently given by the Supreme Court, of Clauses (1) and (2) of Article 286 relating to levy of sales tax on inter-state transactions.

(b) Government is aware that following the judgment some State Governments issued notices for the recovery of the tax from merchants in other States supplying goods for consumption in their own States, including arrears. It has been represented to Government that the demand for arrear payment is causing hardship to the merchants.

(c) Yes, Sir.

(d) The Government of India are in correspondence with the State Governments in the matter and it is proposed to convene shortly a meeting of the "Officials Committee", constituted in the last Finance Ministers Conference in order to examine and consider all aspects of the matter.

ARREST OF SHRI MATHAI MANJURAN

*935. **Shri Punnoose:** (a) Will the Minister of **Home Affairs** be pleased to state whether it is a fact that Shri Mathai Manjuran, a member of the Council of States, has been arrested while leading a deputation to the Minister for Planning, Government of India, at Trichur in Travancore Cochin State?

(b) If so, what were the demands of the deputationists?

(c) What were the reasons for the arrest of the M.C. concerned?

(d) What steps do Goverment propose to take for the release of the arrested persons and redressal of the grievances of the people?

The Minister of Home Affairs and States (Dr. Katju): (a) to (d). Shri Mathai Manjuran and five others were arrested on the 9th August on a charge of participating in a procession at Trichur in contravention of a prohibitory order issued by the District Magistrate against the taking out of processions and staging demonstrations within a radius of one furlong from "Ramanilayam" the rest house, where Shri Gulzari Lal Nanda, Minister of Planning, was staying for rest and medical treatment. The processionists demanded a personal audience with Shri Nanda for the purpose of presenting a memorandum about introduction of compulsory procurement of excess paddy and reduction of the price of the rice ration, backed up by the threat of direct action. The prohibitory order was considered necessary because Shri Nanda's medical attendant had strictly enjoined complete rest.

Shri Manjuran and the five others who were arrested with him are being prosecuted under the Police Act on the charge of contravening a ban imposed by the District Magistrate, Trichur. The demands which they were bent upon presenting to Shri Nanda personally are being looked into by the State Government.

CHARGES AGAINST FORMER SECRETARY, COMMERCE AND INDUSTRY MINISTRY

*936. **Shri Vittal Rao:** Will the Minister of **Home Affairs** be pleased to refer to reply to starred question No. 325 given on 10th August, 1953 and state:

(a) the advice that was tendered by the Union Public Service Commission in connection with charges of corruption and professional misconduct against the former Secretary of the Commerce and Industry Ministry; and

(b) whether Government now propose to lay on the Table of the House a copy of the findings of Sir Arthur Trevors Harris who enquired into the charges of corruption against the former Secretary?

The Minister of Home Affairs and States (Dr. Katju): (a) The case is still under consideration of the Union Public Service Commission. The Commission's advice is awaited.

(b) Until the Commission's advice is received it will not be desirable to furnish further details.

CORRUPTION

491. Shri M. S. Gurupadaswamy: Will the Minister of **Home Affairs** be pleased to state:

(a) how many cases of corruption were reported to the Special Police Establishment during the second quarter of the year, 1953-54;

(b) how many of them were registered;

(c) investigation of how many was completed during the period;

(d) how many were recommended for departmental action;

(e) how many were recommended for prosecution in Courts of Law;

(f) how many gazetted, non-gazetted officials and citizens were involved;

(g) how many cases were finally disposed of by the several Departments and Courts separately;

(h) whether several Departments of the Central Government are co-operating with the Special Police Establishment in the investigation of these cases; and

(i) whether private persons are also; giving full co-operation to the Special Police Establishment?

The Minister of Home Affairs and States (Dr. Katju): (a) to (g). As the quarter referred to is still current, the information asked for is not yet available.

(h) All departments of the Central Government are co-operating with the Special Police Establishment in investigation of the cases.

(i) The Special Police Establishment are getting full co-operation from the public in the matter of investigation.

प्रतिरक्षा व्यय

४९२. सेठ गोविन्द दास : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे :

(क) १९५२-५३ के कुल प्रतिरक्षा आयव्ययक में से, सैनिकों के वेतन और भोजन पर, व्यय की गई धन राशि; और

(ख) अन्य उच्च सैनिक अधिकारियों पर व्यय की गई कुल राशि ?

The Minister of Defence Organisation (Shri Tyagi): (a) Abourt Rs. 54 crores.

(b) Pay and allowances—about Rs. 13 crores. As regards other items of expenditure, no separate figures are available.

SCHOLARSHIPS FOR BACKWARD CLASSES

493. Shri Hem Raj: (a) Will the Minister of **Education** be pleased to state the number of applications received (State-wise) by Government for the grant of scholarships for higher studies from Backward and Scheduled classes, and Scheduled Tribes for the year 1953-54?

(b) When will the decision on such applications be made known to them?

(c) How many scholarships have been sanctioned for this year?

(d) What is the State-wise number of such scholarships?

(e) From what date will they be eligible to avail of these scholarships?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) The hon. Member's attention is invited to the statement laid on the Table of the House. [*See* Appendix IV, annexure No. 53.]

(b) During September-October, 1953.

(c) About 8,000.

(d) Not yet decided.

(e) From the month they secure admission for the course of study during 1953-54.

BANKS IN LIQUIDATION

494. **Shri K. K. Basu:** Will the Minister of Finance be pleased to state:

(a) the total number of banks that are still in liquidation; and

(b) how many have gone into liquidation since December, 1952?

The Parliamentary Secretary to the Minister of Finance (Shri B. R. Bhagat): (a) 415.

(b) 14 banks have gone into liquidation between 1st January 1953 and 31st July 1953 including one in respect of which the winding-up order has been stayed.

THE
PARLIAMENTARY DEBATES
(Part II—Proceedings other than Questions and Answers)
OFFICIAL REPORT

HOUSE OF THE PEOPLE

Tuesday, 1st September, 1953

The House met at a Quarter Past Eight of the Clock.

[MR. DEPUTY-SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(See Part I)

9-15 A.M.

LEAVE OF ABSENCE

Mr. Deputy-Speaker: I have to inform the hon. Members that Shri Murli Manohar, M.P. completed 66 days of continued absence on the 23rd August, 1953 and thereafter has been attending the meetings of the House. He has sent an application for condonation of the aforesaid period of absence which briefly reads as follows:

> "I beg to submit that my absence for a continuous period of 60 days without leave of the House was due to my election petition which was going on at Allahabad and which was decided on the 17th of August, 1953.
>
> I am extremely sorry that I failed to apply to the House for leave to absent myself for the said period.
>
> I feel sincerely sorry for this default of mine and beg to be excused for the same."

Is it the pleasure of the House that the absence of Shri Murli Manohar for

66 days from 1st April, 1953 to 23rd August, 1953, be condoned, as requested by him in his letter?

Hon. Members: Yes.

Absence was condoned.

ELECTION TO COMMITTEES

I. CENTRAL ADVISORY BOARD OF EDUCATION.

II. ALL INDIA COUNCIL FOR TECHNICAL EDUCATION.

Mr. Deputy-Speaker: I have to inform the House that the following Members have been elected to serve on the Central Advisory Board of Education and All India Council for Technical Education:

I. *Central Advisory Board of Education.*—Shri Frank Anthony.

II. *All India Council for Technical Education.*—Shri C. P. Matthen.

ESTATE DUTY BILL—*Contd.*

Clause 2.—(*Definitions*)

Mr. Deputy-Speaker: The House will now proceed with the further consideration of the Estate Duty Bill.

The other day, the following amendments had been moved to clause 2, *viz.*, amendments Nos. 465 and 578 by Government, and then Nos. 470, 471, 551, 599, 600, 602, 468 and 348.

Does any other hon. Member want to move any amendment?

Shrimati Jayashri (Bombay—Suburban): I beg to move

In the amendment proposed by Shri B. R. Bhagat, in the Explanation, *for* "or of women and children" *substitute*:

"or institutions recognised by the Government which are working for the benefit of women or children".

Mr. Deputy-Speaker: Amendment moved:

In the amendment proposed by Shri B. R. Bhagat, in the Explanation, *for* "or of women and children" *substitute*:

"or institutions recognised by the Government which are working for the benefit of women or children".

Dr. M. M. Das (Burdwan—Reserved—Sch. Castes): I beg to move:

(i) In the amendment proposed by Shri B. R. Bhagat, *omit* "religious" occurring for the first time.

(ii) In the amendment proposed by Shri B. R. Bhagat, in the Explanation, *after* "women and children" *insert* "belonging to any sect, caste or community".

Mr. Deputy-Speaker: Amendments moved:

(i) In the amendment proposed by Shri B. R. Bhagat, *omit* "religious" occurring for the first time.

(ii) In the amendment proposed by Shri B. R. Bhagat, in the Explanation, *after* "women and children" *insert* "belonging to any sect, caste or community".

Shri V. G. Deshpande (Guna): I have also got an amendment. It is No. 1 in the list of amendments given today.

Mr. Deputy-Speaker: I am not going to allow it.

Shri V. G. Deshpande: The other day, we were promised that in view of the new amendments given, discussion will be allowed, and further amendments also will be allowed to be moved.

Mr. Deputy-Speaker: I allowed it only on that day.

Shri V. G. Deshpande: Today is the next working day.

Mr. Deputy-Speaker: There is no good bringing in an amendment today.

Other hon. Members who want to move any amendments may do so.

Shri B. P. Sinha (Monghyr Sadr *cum* Jamui): I beg to move:

In the amendment proposed by Shri B. R. Bhagat, *omit*:

(i) "but does not include any purpose which is expressed to be for the benefit of any particular religious community"; and

(ii) the Explanation.

Mr. Deputy-Speaker: Amendment moved:

In the amendment proposed by Shri B. R. Bhagat, *omit*:

(i) "but does not include any purpose which is expressed to be for the benefit of any particular religious community"; and

(ii) the Explanation.

Shri Jhunjhunwala (Bhagalpur Central): I beg to move:

(i) In the amendment proposed by Shri B. R. Bhagat, *after* "public utility" *insert* "in India".

(ii) In the amendment proposed by Shri B. R. Bhagat, *for* "which is expressed to be for the benefit of any particular religious community" *substitute* "for religious worship".

Mr. Deputy-Speaker: Amendments moved:

(i) In the amendment proposed by Shri B. R. Bhagat, *after* "public utility" *insert* "in India".

(ii) In the amendment proposed by Shri B. R. Bhagat, *for* "which is expressed to be for the benefit of any particular religious community" *substitute* "for religious worship".

Shri Jhulan Sinha (Saran North): I beg to move:

In the amendment proposed by Shri B. R. Bhagat, *omit*:

(i) "but does not include any purpose which is expressed to be for the benefit of any particular religious community"; and

(ii) the Explanation.

Mr. Deputy-Speaker: Amendment moved:

In the amendment proposed by Shri B. R. Bhagat, *omit*:

(i) "but does not include any purpose which is expressed to be for the benefit of any particular religious community"; and

(ii) the Explanation.

Shri R. S. Tiwari (Chhatarpur—Datias-Tikamgarh): I beg to move:

In page 2, line 17, *after* "includes" *insert* "the executor or administrator of a deceased person or".

Mr. Deputy-Speaker: Amendment moved:

In page 2, line 17, *after* "includes" *insert* "the executor or administrator of a deceased person or".

No more amendments will be allowed hereafter.

Hon. Members who have not already spoken, and who want to participate in the debate can speak now. Clause 2 should be finished within half an hour.

Shri N. C. Chatterjee (Hooghly): You are putting a time-limit to the speeches on this particular clause. This is a very important clause.

Mr. Deputy-Speaker: Hon. Members must have some idea about the time.

Shri N. C. Chatterjee: I would request you not to specify any time-limit. This is an important matter, which concerns vitally all the communities. And you are taking power under this clause to deal with public charitable gifts.

Mr. Deputy-Speaker: Have we not had sufficient discussion over this?

Shri N. C. Chatterjee: As many as twelve new amendments have now come in, and we want to discuss them. You should not say, I submit with great respect to you, that those who have already spoken will not be allowed to speak.

Mr. Deputy-Speaker: Does it mean that each Member should speak four times?

Shri N. C. Chatterjee: These amendments put a different perspective to the whole debate. There are now some amendments which say that the exemption should not be given only to a sect or a caste. It may be that hon. Members may support it or oppose it.

Mr. Deputy-Speaker: All that I am submitting is that on the whole we have fixed some broad time-limit. Within that period, we should apportion the time for the various clauses. I have the least objection, even if ten days be spent over this clause only. The other day we had some discussion about this matter, and we agreed that as early as possible, we will try to dispose of this.

Shri N. C. Chatterjee: But you did not fix time-limit.

Mr. Deputy-Speaker: For the Estate Duty Bill, we fixed about ten days

Shri N. C. Chatterjee: Nothing was said in this House as to what was arranged at the conference informally called by the hon. Finance Minister. The other day, the hon. Minister said that he would look up and let you know.

Mr. Deputy-Speaker: All that he said was this. He asked me to refer to the proceedings. He did not say he would look up and let me know.

Shri S. S. More (Sholapur): Supposing a certain arrangement has been arrived at between the hon. Finance Minister and some of the Members informally, can that arrangement be binding on this House, and on those who were not invited for that conference?

Mr. Deputy-Speaker: I had invited the hon. Members of the Business Advisory Committee. We discussed the time that should be allotted both for the Andhra State Bill and the Estate Duty Bill. Inasmuch as all these new amendments have not been before hon. Members, again I have invited the hon. Members of the Business Advisory Committee for a meeting today, and we shall fix up the time-limit. As far as possible, having due regard to the amendments that have been tabled, and the importance of the various points that arise, I have not so far fixed any specific time-limit for the clauses. No doubt, we had some arrangement earlier. But we shall break it, and enter into a new arrangement. I shall place it before the House, after the Business Advisory Committee comes to any definite conclusion. Till that time, this matter may stand over.

The Minister of Finance (Shri C. D. Deshmukh): Is it your intention to revise it, only for the purpose of extending the time with a view to facilitating the discussion on the amendments to this clause?

Mr. Deputy-Speaker: I have got a vague recollection as to the arrangement we had arrived at. I am not definite as to what exactly we arranged on that day in the Advisory Committee.

Shri C. D. Deshmukh: There must be a record of what was said at the Business Advisory Committee. If we knew exactly what was agreed then, it would be easier for us.

Mr. Deputy-Speaker: The procedure is this. In the Advisory Committee representatives of all the groups assembled. They took into consideration the question of the time in respect of the amendments that have been tabled. Even if a decision is arrived at formally, it is placed before the House. If the House accepts it, it becomes the order of the House. It is still in a nebulous state. I do not remember that it has been placed before the House formally. So far as that matter is concerned, I do not want anybody to hustle. We must have due regard for the time already taken. But if it is felt that some more time is necessary, I am sure the hon. Minister of Parliamentary Affairs, in consultation with the representatives of the Finance Ministry, will allot the necessary time and then we will also be able to fix up the time limit.

Shri C. D. Deshmukh: You make it an order of the House. Then it will be in the discretion of the House as to how much time is given to each amendment subject, of course, to the guidance of the Deputy-Speaker.

Shri A. M. Thomas (Ernakulam): May I know from the hon. Finance Minister whether the provisions in the Estate Duty Rates Bill are also going to be amalgamated with the main Bill? There were Press reports to that effect.

Shri C. D. Deshmukh: We thought over this matter and came to the conclusion that if we waited for the Estate Duty Bill to be passed by both the Houses and assented to by the President, then there might be constitutional difficulties in proceeding with the discussion of the other Bill which assumes that the main Estate Duty Bill has been enacted. There was a suggestion from certain quarters that it might be better if the rates were incorporated in the Bill itself. That suggestion, you will recall, has been made from time to time right from the early days. We considered this alternative and we have come to the conclusion that it would be better both from the point of view of time allotment as well as in deference to the wishes of those who wish these rates to be incorporated here, to have these rates incorporated in the Bill itself and notice of an amendment to that effect will be given by me.

Shri N. C. Chatterjee: That means withdrawal of that Bill. I take it that the hon. Finance Minister is going to withdraw that Bill and incorporate the relevant provisions in this Bill which means longer time-table will be needed. That is a very important measure. That means really amalgamating the two Bills into one Bill.

Mr. Deputy-Speaker: I think this matter may be considered when the amendemnt is formally tabled before the House.

Shrimati Sucheta Kripalani (New Delhi): May I draw the attention of the Deputy-Speaker to the fact that this question of rates is a very important one. Such a matter should have gone to the Select Committee for discussion. Now, after the Bill has come back from the Select Committee the rates Bill is sought to be introduced into the main Bill in the form of an amendment. I do not know what procedure you propose to adopt in the matter.

Mr. Deputy-Speaker: The point was raised by Mr. More that, unless the parent Bill was passed the House would not be competent to take up the other Bill. We have, therefore, said that we would go through the consideration stage and then we would consider the matter tentatively. We came to that conclusion. Now, because it will take a long time before these two Bills are passed, the hon. Finance Minister seems to have considered it desirable to add to it the rates by way of an amendment here or by way of an Appendix or a Schedule added to this Bill. There was a suggestion even in the Select Committee that without the rates we would be only going into the Bill blindly without knowing exactly what the implication would be, what the results of the rates would be Under these circumstances what we might have done originally, if possible and desirable, we are trying to do today. When that matter comes up in the form of an amendment, sufficient time will be given to the House to consider that matter also. The original fixation of time regarding the Estate Duty Bill did not contemplate the Estate Duties rates Bill also.

Shri C. D. Deshmukh: In half an hour this will be before the House and then at the earliest opportunity—probably it will be tomorrow—I will withdraw the other Bill so that when the Deputy-Speaker meets the leaders, the matter can be discussed.

Shri N. C. Chatterjee: You will have to take the leave of the House to withdrawn it.

Shri C. D. Deshmukh: That, of course, is assumed. Unless the House gives me leave to withdraw, I could not withdraw it. All this need not be spelt out for such an expert as the hon. Member opposite.

Shri R. K. Chaudhury (Gauhati): On a point of order, Sir,.....

Shri C. D. Deshmukh: I have still got to complete.

Mr. Deputy-Speaker: The point of order cannot be raised by merely standing up.

Shri C. D. Deshmukh: I was going to say, that if the Deputy-Speaker has a meeting, say in the course of today, he will be able to take cognizance of all facts.

Mr. Deputy-Speaker: Let me have that amendment.

Shri C. D. Deshmukh: The amendment will be in his hands by the time he calls up the meeting.

Mr. Deputy-Speaker: The meeting is at eleven o'clock.

Shri R. K. Chaudhury: This is an important point of order. How could the Press know about it before a suggestion is taken into consideration in this House? Is it a fact that the Ministry of Finance gave them the information over the head of the House?

Shri C. D. Deshmukh: The Ministry of Finance gave out no information. How the Press discovered it, I cannot say.

Mr. Deputy-Speaker: Even when the Bill, as it is a Money Bill, is before the House and such a serious suggestion is sought to be made, normally the House, when it is in Session, must be the first to know of any such attempt on the part of the Government. I have also been noticing, when the House is sitting here, that some statements are being made. I have received some complaints or letters from hon. Members that when the House is in Session here, some hon. Ministers are making statements in Bombay and elsewhere regarding policies. The practice has been that so long as the House is in Session the House ought to be the first to know of any particular policy or of a change of policy; when the House is not in Session, of course, it is left to the Government because the House is not in Session. Any information must proceed, as far as possible, from the House and the hon. Members ought not to have to look to something else and get information and be taken by surprise. I think in future that procedure will be followed.

I do not know how the Press got the information. I hope all care would be taken to see that matters do not go to the Press from any quarter unless the House is informed beforehand.

Shri C. D. Deshmukh: I have to add that no action was taken by the Finance Ministry to give publicity to it. Indeed the usual precautions that are taken to ensure that the matter does not leak out were taken.

Shri C. D. Pande (Naini Tal Distt. *cum* Almora Distt.—South West *cum* Bareilly Distt.—North): On an important point of order, Sir. I suggest that the amalgamation of these two Bills is not desirable.

Mr. Deputy-Speaker: When it comes we will see. We will not discuss that particular point now. There is no amendment before the House. When the amendment comes up and also when there is a motion for leave to withdraw the other Bill then the hon. Members will certainly have an opportunity to say whether the Bill is all right or the amendment is proper and so on. There will be ample opportunity so far as that matter is concerned.

Shri T. N. Singh (Banaras Distt.—East): Regarding disclosure of news or items of news to Press earlier than the hon. Members themselves know whether such and such a thing will be taken up before or after, may I know whether that will also come under the breach of privilege of the House? If the statement that such and such items will be taken up before or after appears in the paper and the paper makes an intelligent speculation about it the ruling given by the Deputy-Speaker will be hard on the Press.

Mr. Deputy-Speaker: I am not saying anything against the Press. The Press may conjecture anything and write it in advance. I am talking about the hon. Ministers or Ministries. If an hon. Minister wants to make a statement, I think it is desirable that he should make a statement in the House before he takes the general public into confidence through papers.

श्री बी० जी० देशपांडे : विधेयक का यह संशोधन बहुत महत्वपूर्ण है । मैं समझता हूं कि इस संशोधन ने बड़े मौलिक प्रश्न इस सदन के सामने निर्माण किये हैं । हमारे श्री सी० डी० देशमुख साहब ने जो पहला संशोधन इस में दिया है अगर आप उस की तरफ़ देखेंगे तो पता लगेगा कि उन्हों ने यहां पर पब्लिक चैरिटेबल परपज़ की डैफिनिशन अर्थात् व्याख्या करने का प्रयत्न किया है । इसी प्रकार का प्रयत्न जब फाइनन्स बिल यहां पर भवन के सामने आया था तब किया गया था, और उस वक्त मैं ने उस का विरोध किया था कि इस प्रकार की व्याख्या क्यों की जा रही है ? उस वक्त देशमुख साहब ने बताया था कि यह चैरिटेबल परपज़ेज क्या हैं । चूंकि वह इस को सरकारी अफसरों के हाथ में नहीं छोड़ना

चाहते हैं इसलिये उस की डेफिनिशन करना चाहते हैं और उन के सामने तत्व रख देना चाहते हैं। लेकिन अब जब हम डेफिनिशन देखते हैं तो पता चलता है कि उसे डिफाइन करने का यत्न नहीं है। मैं समझता था कि पब्लिक चैरिटेबल परपजेज क्या हैं इस का अर्थ हमारे वित्त मंत्री महोदय बतायेंगे लेकिन यहां यह देखता हूं कि उस की डेफिनिशन नहीं है। इस में कहा गया है :

"'Public charitable purpose' means relief of the poor, education, medical relief and the advancement of any other object of general public utility."

'एनी अदर आब्जेक्ट' की जो विषम व्याख्या की गई है उस से सोचिये कि पब्लिक चैरिटेबल परपज क्या है। इस में इस का कोई पता नहीं लगता है, उन के हृदय में तो एक ही बात निश्चित है और वह बात यह है कि दान चैरिटेबल परपज के लिये होना चाहिये। इसे बताने के लिये उन्होंने यह डेफिनिशन दे दी है और उस में कहा गया है कि :

"but does not include any purpose which relates exclusively to religious teaching or worship."

यानी इस संशोधन के द्वारा धार्मिक पूजा और धार्मिक शिक्षा विरुद्ध निश्चय करना चाहते हैं और उस को चैरिटी नहीं समझते। सच्ची बात यह है कि दान क्या है, चैरिटी क्या है इस की व्यवस्था तो बड़े बड़े महान लोगों ने भारतवर्ष में की है। कल ही हम ने जन्म अष्टमी का दिन मनाया है। भगवान श्रीकृष्ण ने दान का अर्थ किया है। लेकिन हमारे चिंतामन देशमुख साहब की व्याख्या से उन की व्याख्या में अन्तर है। भगवान श्रीकृष्ण ने कहा है :

"देशे कालेच पात्रेच दियते यद्दान तद्दान सात्विक विदुः।"

जो देश, काल, और पात्र को देख कर दान किया जाता है, अर्थात् स्थान, समय और पात्र, कहां दान देना है और किस को दान देना है इन तीनों चीजों को देख कर दान किया जाता है वह दान अच्छा है। दम्भ के लिये, मैं बड़ा हूं दान में मेरी कीर्ति होनी चाहिये, इस दृष्टि से जो दान दिया जाता है वह दान बुरा है। दान देने वाला सात्विक है, राजस है या तामस है यह देख कर दान की व्याख्या की जाती है, लेकिन भारतवर्ष में एक परवर्सिटी अर्थात् विकृति आ गई है। मैं ने देखा कि जो संशोधित मार्ग का निर्माण यहां हुआ है उस में कन्फ्यूजन वर्स कन्फाउन्डेड है। हम देखते हैं कि यह कहा जाता है कि सब बात ठीक है लेकिन रिलिजस के साथ साथ कम्यूनल चीज नहीं होनी चाहिये। आप को तो डर पैदा हो गया कि हर रिलीजस चीज कम्यूनल होती है। आप कहते हैं कि स्त्रियों को इस में न रखना चाहिये, बच्चों को इस में न रखना चाहिये, बैकवर्ड कम्यूनिटी को न रखना चाहिये, इस तरह से पहले अपवाद बना कर फिर अपवाद के भीतर अपवाद बनाना शुरू कर दिया गया है। इस तरह से इस में और कन्फ्यूजन पैदा हो गया, और कन्फ्यूजन के भीतर भी एक परवर्सिटी आ गई है। वह विकृति यह है कि हम ने एक सेकुलर स्टेट बनाया है। इस सेकुलर स्टेट में जो लोग अधार्मिक हैं या धर्महीन हुआ करते हैं, उन के समर्थन में हमारे लोग आते हैं और कहते हैं कि कौन कहता है कि हम धर्म के खिलाफ़ हैं। हम किसी धर्म से द्वेश नहीं करते हैं, लेकिन हम क्या करें, यहां मुसलमान हैं, यहां ईसाई हैं। अगर हम को धर्म की शिक्षा देनी हो तो किस के धर्म की शिक्षा दें ? इस के कारण आज स्टेट की तरफ से धार्मिक शिक्षा नहीं दी जाती ताकि स्टेट की तरफ से कोई धार्मिक उग्रता न हो जाय और कोई व्यक्ति कृत्य करता है तो आप उस की तरफ डिस्फेवर से देखते हैं।

[श्री वी० जी० दशपांडे]

यह कहा गया कि धर्म का दान हम द सकते हैं, और हमारे गाडगिल साहब तो धर्म के बड़े प्रचारक हैं उन्हों ने कहा कि अगर रिलिजस पुस्तकों पर सेल्स टक्स लगाया जाय तो क्या धर्म का विरोध होगा? मैं कहता हूं कि जरूर विरोध होगा। गाडगिल साहब के राज्य म सेक्स सम्बन्धी किताबों पर टक्स नहीं होगा। सेक्स एजुकेशन की किताबों पर सेल्स टैक्स नहीं होगा लेकिन धार्मिक किताबों पर टैक्स जरूर लगेगा। यह विरोध करना नहीं तो और क्या है ? आप कहेंगे कि बाकी दानों पर तो एग्जम्पशन मिलेगा लेकिन धार्मिक दृष्टि से अगर किसी कम्यूनिटी के लिये आप दान देंगे तो उस पर हम डेथ ड्यूटी लगायेंग। यह डिस्क्रिमिनेशन नहीं है तो फिर क्या है। यह कम से कम धर्म के खिलाफ तो जरूर होगा। औरंगजेब भी कह सकता था कि मैं किसी भी मनुष्य के हिन्दू धर्म परिपालन करने के खिलाफ नहीं हूं, बस जजिया दे दो और मन्दिर में बैठ कर चौबीस घंटे पूजा करो, मैं मना नहीं करता हूं। जो जजिया दे दे वह तो मन्दिर में जा सकता है और जो न दे वह नहीं जा सकता, इस का असर क्या होगा। इसी प्रकार से आप धार्मिक दान देने वाले को डिसएडवान्टेज में रखने जा रहे हैं।

आगे चल कर मैं पूछना चाहता हूं। एक मनुष्य है वह यह न देखे कि कांग्रेस के एलेक्शन में खड़ा होना है, जवाहरलाल नेहरू का कृपा पात्र बनना है, वह कम्यूनल होता है, हम को मालूम है कि कम्यूनल का क्या अर्थ लगाया जाता है, कम्यूनल का अर्थ है हिन्दू धर्म के लिये बोलना। हमारे चैटर्जी साहब दायभाग का समर्थन करते हैं हालांकि वह जानते हैं कि दायभाग का अगर नाम लेंगे तो लोग कहेंगे कि यह पुरानी बात कर रहा है। अगर वह ऐसी बात कहें जो मुसलमानों और ईसाइयों के विरुद्ध न हों तो कहा जाता है कि यह तो नानकम्यूनल बात है क्योंकि यह ईसाई और मुसलमानों से सम्बन्ध नहीं रखती है। हमारे यहां कम्यूनिस्ट खड़े हो कर मुस्लिम माइनारिटी के समर्थन में भी कुछ कहते हैं तो भी वह नानकम्यूनल चीज हो जाती है, लेकिन हिन्दुओं के धर्म के लिये कोई अगर कुछ कहे तो वह कम्यूनल हो जाती है। कोई भी चीज जो कम्यूनिटी के कल्याण के लिये की जाती है वह बुरी है। मृत्यु के समय में मनुष्य धार्मिकता में आता है। उस के मन में जो इच्छा हो वह उस को पूरी कर के धर्म में ही सुख पाता है। वह अपने धर्म के लिये कुछ करना चाहता है। वह अच्छा हो या ना हो यह तो वैयक्तिक मत है। अपने विधान में कहीं नहीं कहा गया कि धर्म कार्य नहीं करना चाहिये। मुझे मालूम है कि मृत्यु के समय आदमी चाहता है कि वह किसी मन्दिर की स्थापना करे, यह कोई बुरी बात नहीं है। हमारे डा० राजेन्द्र प्रसाद जी सोमनाथ मन्दिर में चले गये, जो पुराने मन्दिर हैं हम उन की प्रतिष्ठा करना चाहते हैं तो इस में क्या बुरी बात है ? हिन्दू धर्म पालन की दृष्टि से आप इसे क्यों देखते हैं ? मैं सोचता हूं कि कोई स्मशान काफी नहीं है, लोगों को दूर जाना पड़ता है, तकलीफ़ उठानी पड़ती है तो उस के लिये मैं कोई दान दूं तो चूंकि स्मशान में कोई मुसलमान नहीं जाता, कोई ईसाई नहीं जाता इस लिये यह कम्यूनल चीज हो गई ? अगर स्मशान के लिये मैं दान देता हूं तो धार्मिक और कम्यूनल होने के कारण आप कहेंगे कि उस को एग्जेम्पशन नहीं मिलना चाहिये। बेचारे मुसीबत में वहां आते हैं लेकिन यह आप के राज्य में पापमय दान होगा। बद्रीनारायण की यात्रा के लिये लोग जाते हैं, वह लोग सर्दी में परेशान होते हैं, न खाने को मिलता है न ठहरने को। उन के रास्ते में अगर कोई धर्मशाला बना दी जाती है तो क्या यह कोई खराब काम है ? इस से आप के सेकुलर आब्जेक्टिव्ज में कोई विघ्न

पड़ता है ? आप के सेकुलर आब्जेक्टिव्ज का क्या यह मतलब है कि दान देते वक्त हमें यह पूछना चाहिये कि हम यह दान दें या न दें। अपने बहन को, भतीजों को नौकरियां आप दे सकते हैं। लेकिन अगर कोई आदमी कहे कि हमारी जाति पिछड़ी हुई है, उस के लिये हम कुछ करें तो यह कम्यूनलिज्म हो जाता है। हम आगे जाना चाहते हैं तो हम को धार्मिक क्यों कहते हो ? साम्प्रदायवाद के आप विरुद्ध हैं। प्राविंशियल और लिंग्विस्टिक उद्देश्य की पूर्ति के लिये यदि कोई दान दिया जायगा तो वह भी खराब मानना चाहिये।

बात यह है कि आप को यह सोचना चाहिये दान देते वक्त कि यह धर्म के लियें देते हैं, धार्मिक शिक्षा के लिये देते हैं, नैतिक शिक्षा के लियें देते हैं तो मेरा विश्वास है कि यह दान कल्याणकारी है। किसी ग्रुप का प्रचार करने के लिये दान देते हैं तो यह बुरा दान होता है। कोई कारण नहीं कि इस के विचार करने का अधिकार भी हम को न हो कि यह हमारा वैयक्तिक मामला है। स्टेट ने कभी निश्चय नहीं किया है कि धर्म से चलना बुरी चीज है, जब तक यह निश्चय नहीं होता है तब तक सब लोग अपने धर्म का परिपालन कर सकते हैं। उस धर्म के उन्नति के लिये यदि कोई दान दिया जाता है और उस पर टैक्स लिया जाता है तो मेरी समझ में यह डिस्क्रिमिनेशन अत्यन्त बुरी बात होगी।

मैं समझता हूं कि यदि कोई दान दे हिन्दू धर्म के खिलाफ काम करने के लिए, या यदि कोई दान दे मुस्लिम धर्म के खिलाफ काम करने के लिए, या यदि कोई दान दे ईसाई धर्म के खिलाफ काम करने के लिए, या यदि कोई दान दे साधारण धार्मिकता के खिलाफ काम करने के लिए तो शायद उस पर एग्जेम्प्शन न रखें। लेकिन यदि यह रखा गया कि कोई धार्मिकता के लिए या धर्म के कार्य के लिए दान दे, जिस को कि आप कम्यूनल कहते हैं, तो उस को ऐग्जेम्प्ट नहीं किया जायगा, तो इस से आप एक नया, प्राबलम पैदा कर देंगे। विधान में जो गारंटी दी गयी है उस के पश्चात् हम अपने धर्म के अनुसार रह रहे हैं, उस में आप रुकावट नहीं डाल सकते हैं। मेरा विचार तो यह है कि जब स्टेट की तरफ से धर्म की शिक्षा नहीं दी जाती है तो धार्मिक शिक्षा का प्रबन्ध वैयक्तिक दान द्वारा ही हो सकता है उस को उत्तेजन देना चाहिये। तो कोई गोरक्षा का काम करता है, कोई पिंजरापोल का काम करता है, जो शायद पबलिक यूटिलिटी में न आता हो। जब मैं किसी दूसरे को तकलीफ नहीं देता और अपनी भावना के अनुसार त्याग कर के दान दे रहा हूं तो उस पर जजमेंट में बैठ कर यह करने का, कि वह अच्छा है या बुरा, वह न्याय है या अन्याय, यह अधिकार स्टेट को नहीं है। अपने संविधान की दृष्टि से मैं कहूंगा कि आज आप की सिक्यूलरिज्म की व्याख्या परीक्षा के लिए सामने आयी है। आज तक आप कहते थे हम किसी भी धर्म के खिलाफ नहीं है, किसी धर्म का विरोध नहीं करना चाहते हैं, हम धर्म विरोधी नहीं हैं, हमारा राज्य धर्म विरोधी नहीं है, यह एक धर्म निरपेक्ष राज्य है। यह आप आज तक व्याख्या करते थे लेकिन इस विधेयक के द्वारा 'यू हैव डिकलेअर्ड' ए वार अगेन्स्ट रिलीजन (आप ने धर्म का विरोध करना आरम्भ कर दिया है)। हमारे गाडगिल साहब यह कहते थे कि यह बिल है, वार एगेन्स्ट प्रापर्टी। यह तो मैं देखता नहीं हूं। मिताक्षरा फैमिली में अगर किसी के पांच लड़के हैं और उस के पास तीन लाख एक हजार की प्रापर्टी है तो केवल ५० रुपया का टैक्स लगेगा। तो आप तीन लाख की प्रापर्टी के लिए पचास रुपया का टैक्स रख रहे हैं। यह तो प्रापर्टी के खिलाफ वार नहीं है। यह तो रिलीजन के खिलाफ, धार्मिकता के खिलाफ खुल्लमखुल्ला विरोध है। यही आप इस बिल में कर रहे

[श्री वी० जी० देशपांडे]

हैं और इसी के लिए मैं उपाध्यक्ष महोदय के द्वारा यहां सब सदस्यों से प्रार्थना करूंगा कि यह पक्ष का सवाल नहीं है। हम को विधान ने जो धार्मिक स्वातन्त्र्य दिया है उस का परिपालन करने का हम को अधिकार है, जनता को पूरा अधिकार है कि वह उस का परिपालन करे। इस विधेयक पर संशोधन दे कर हम यही लोगों को बतलाना चाहते हैं और इसी लिए मैं आप से प्रार्थना करता हूं कि आप इस संशोधन को वापस ले लें। मैं देखता हूं कि हमारे वित्त मंत्री जी रोज बदलते हैं। एक विधेयक लाते हैं फिर उस का संशोधन स्वीकार कर लेते हैं। मेरी प्रार्थना है उन से कि इस संशोधन को वापस ले लिया जाय और डेफीनीशन बनाने का काम और लोगों पर छोड़ दिया जाय तो ज्यादा अच्छा होगा। इतना ही कह कर मैं इस संशोधन का विरोध करता हूं।

Shri R. K. Chaudhury: I had put in an amendment which has not been numbered and shown in the list, but I actually moved it the other day in the House. Therein I wanted to make a distinction between persons belonging to a particular religious community and persons who actually profess that religion. I submit there are many distinguished persons—distinguished persons even in this House—who would normally be classed as 'Hindu', who would be shown in the list as members of the Hindu Community, but who actually do not profess that religion. I want that my amendment should be accepted by this House and a distinction, which is now prevalent in this country, namely, a man may for official purposes be called a Hindu, but actually he is not a Hindu, but an anti-Hindu, that distinction be drawn. I am not an orthodox Hindu myself, but any attempt to curb the religious spirit of the Hindus, any attempt to pull down the Hindu religious institution will be opposed by me and by men like me with all the force that they can command.

Shri C. D. Pande: By the whole lot of them.

Shri S. S. More: He belongs to the Hindu Mahasabha.

Shri R. K. Chaudhury: I do not belong to the Hindu Mahasabha, but the gentleman who has found in this clause the spectre of communalism belongs to some narrow party; whether it is communal or religious or whether it is Maharashtra, I do not know. Certainly, he has got a narrow view of looking at things.

I must as a Hindu hang down my head in shame when I am called communal if I want to endow a certain property for the Hindu religion. Who is communal? The man who calls me communal is communal or am I communal? In this country, where the majority of the people are Hindus, Hindus do not actually belong to a particular religion. I say Hindus are a nation and nothing which is done for Hindus, nothing which is done for the Hindu religion can be called communal in India. That is the spirit in which we should look at all these things. This narrow attempt—this low attempt, I should say—on the part of the authorities that be who want to dub the Hindu doing something for the Hindu religion as communal will bring about the ruin of those persons. This spirit, this spirit of over-secularisation...

Shri C. D. Deshmukh: On a point of order, Sir. If there is anything against...

Shri R. K. Chaudhury: Is he rising on a point of order?

Mr. Deputy-Speaker: Yes.

Shri R. K. Chaudhury: If he is not rising on a point of order, I am not going to yield.

Mr. Deputy-Speaker: The hon. Member must carry conviction. After all, hon. Members are all here. But the Mover of the Bill has to be convinced first; of course, the House has also to be convinced. The hon. Minister is wanting to clarify some position. The hon. Member may kindly take his seat.

Shri R. K. Chaudhury: In the hope that he will return the courtesy, I will do so.

Shri C. D. Deshmukh: I was going to ask the hon. Member whether he found that this was directed against a particular community, say, the Hindu Community.

Shri Dhulekar (Jhansi Distt.—South): Yes, it is.

Shri R. K. Chaudhury: 'Hindu' is a nation. My friend will look upon Hindus as a nation. I hope that the hon. Minister will forget his old ICS association and try to think of Hindus as a nation. This is Hindustan; we are a nation, and this is the nation—the Hindu nation—I am talking of. Do not bring in this low trick, small ideas, about pulling down the Hindus as belonging to a particular religious community. Hindus do not belong to a particular religious community.

Take, for instance, the Kamakhya temple near Gauhati. There, for the water works in the hill a sum of nearly Rs. 75,000 has been given by the Assam Government. Now, who goes to the Kamakhya temple? Only those —excepting a few of my friends here who go on sightseeing and for other delectable purposes—who have the idea of having a *darshan* of the temple and the goddess there. That is the idea, but now according to this interpretation of Hindu communalism, will that grant which has been given by the Government of Assam and which is going to be supplemented by the charitably-minded people of India—because all the Indians, practically all Hindus, and that is nearly all Indians, go there for religious worship—be banned if a certain gift is made in favour of the water supply in Kamakhya hill? Will it be subject to taxation, because it relates to the benefit of a particular religious body?

Shri C. D. Deshmukh: No, Sir, we wish them very long life after they make such a gift. (*Interruptions*)

Shri N. C. Chatterjee: Will the will of the Government work also here or some other will?

Shri R. K. Chaudhury: Here is really a contradiction between the Government in the Finance Department and Government in the Health Department, because if the Health Department works properly then the collection of the estate duty will be very little. Only if cholera rages as it did before, then only can the hon. Finance Minister expect to get more collections. Here is a contradiction. While the Finance Minister wants frequent deaths in this country in order to get more estate duty, the Health Minister may try to undo all that by having better health in the country.

Shri K. K. Basu (Diamond Harbour): They are neighbours.

Shri R. K. Chaudhury: But ultimately, I am sure, the Finance Minister will win because, after all he holds the finance strings of the Government and the Health Minister may lag in her zealous efforts for maintaining good health. But that is not the point now. The point is that whatever you do in this matter of estate duty, I would ask the Government to take warning beforehand and not to toy with this oversecularisation. If a grant is made for any particular worship in India, a worship that is followed by the majority of the people of India, then that grant should not be made the subject of any sort of taxation. Similarly, I say that so long as the Muslims want to make a gift for the purpose of their religious worship, much more protection than that given to the Hindus should be given and no such gifts should be handicapped by taxation of this kind. So long as the Muslims do not give gifts which will go to the benefit of people in Pakistan and not to the people of India, I submit, that in the case of Muslims such gifts should always be exempt from taxation. If this warning is not heeded to by the Government the consequences will be—you may call it communalism—a great movement will come which will duly sweep away all these ideas of secularism of the Government. I am sure many of my hon. friends want to give the same warning as I do give, but they may not be able to give it

[Shri R. K. Chaudhury]

out of fear of some distinguished persons who belong to the Hindu religion but who do not really profess or believe in it.

Shri Tek Chand (Ambala-Simla): I rise to offer a few comments on the amendment moved by my hon. friend Mr. Bhagat. The earlier portion of this amendment, to my mind, is dangerously too wide and too flexible and the latter portion is too narrow. May I refer to the earlier portion where endeavour is made to define public charitable purpose? He says, it includes relief to the poor, education, medical relief and the advancement of any other object of public utility. May I pause for a second here? I want that these laudable objects of public charity that have been enumerated should be confined to the territories of this country for the purpose of earning exemption. I may illustrate my point of view. Supposing there is a multimillionaire Borah and he gives, for one of the charitable purposes here enumerated, a crore of rupees but for the benefit of people in Iran, Pakistan or Afghanistan. The result will be that this Government will be deprived of Rs. 40 lakhs because he might turn round and say that it was for a public utility, for giving medical relief or for education of the people in Afghanistan. My amendment is that after the words 'public utility', the words 'within the territories of India' should be inserted.

10 A.M.

Mr. Deputy-Speaker: Why did he not move it earlier?

Shri Tek Chand: Sir, the list was given. May I crave your indulgence to formally move it, now?

Mr. Deputy-Speaker: Yes.

Shri Tek Chand: I beg to move:

In the amendment proposed by Shri B. R. Bhagat, *after* "public utility" *insert* "within the territory of India".

Take another instance. Suppose in this country somebody gives a crore of rupees to some Buddhist institution, which comes under 'charitable purpose' according to our definition, but those who are going to enjoy the benefit of this charity happen to be in China, Burma or in some other place outside India. The result will be that this crore of rupees will go outside this country without the State getting anything by way of estate duty. Similar illustrations may be multiplied.

Shri S. S. More: Supposing X donates two lakhs of rupees for the construction of a hostel in London for the use of the Indian students, what will be the effect of this amendment? Does he not want this to be exempted?

Shri Tek Chand: My point is with regard to exemption. The charity should be confined to the borders of this country in order to earn exemption. If you want to be universally charitable, by all means be charitable, but then you may as well be charitable to the exchequer and you need not stint the duty you are called upon to pay. Therefore, my feelings are that unless these words 'within the territories of India' are inserted, the result will be that a very large number of people may be so minded that they will find out a way to transfer large sums of money to countries abroad for ostensible purposes of charity, but Heaven alone knows what the real purpose might be. Therefore, to this extent, my fears are that the amendment moved by my hon. friend is too flexible and it ought to be restricted so as to confine the charitable purposes within the territories of this country in order to earn the exemption.

Shri C. D. Deshmukh: I just want to ask one question. The same objection should apply to the original wording itself. What I mean to say is, it is not a particular defect of the amendment so much as the original clause itself.

Shri Tek Chand: I humbly agree, sir.

Therefore, my submission is that whenever you are defining public charitable purpose kindly see that it is within the confines of this country.

So far as the second part of the amendment is concerned—the words 'for the benefit of any particular religious community'—if I were left to have a choice between two alternatives, I would have preferred the earlier amendment of the hon. Finance Minister because the words 'for the benefit of any particular religious community' are a little—if I may use that expression—too treacherous in comprehension. That is to say, the object may be perfectly secular, but in so far as the beneficiaries under the secular object happen to be members of a particular community, you will be depriving the donor of the opportunity of giving to a charity. I may again illustrate my point of view.

Supposing, a person gives away a piece of land in order to be used as a cremation ground. Supposing again another person in the neighbourhood who happens to have a grove of trees were to part with those trees to be used as fuel for burning the dead of the poor, the object, I submit, will be definitely a secular object, but in so far as the person who are getting the benefit will be members of one particular community only, it might be hit by the amendment, 'for the benefit of any particular religious community'. There is a well-known legal maxim for guiding the law framers. A *verbis legis non est recedendum*, which means from the letter of the law there ought not to be a departure. The benefit may be perfectly secular. You may be opening an *ashram* for some teaching, for some education in a particular language but in so far as that language happens to be taught to a particular community only, the result may be you might be depriving it of charity.

Then, again, supposing a person were to open, let us say, a swimming pool in New Delhi—that may be perfectly all right.

[PANDIT THAKUR DAS BHARGAVA *in the Chair.*]

Supposing it were for the construction of a bathing ghat in Hardwar or Banaras, it is going to be for the benefit of a particular community. Your intention is that the object of charity in order to secure exemption ought not to be exclusively religious. Left to myself I would not ban religious charity for purpose of exemption. I have given notice of an amendment in which I have suggested the substitution of the words "which relates exclusively to religious worship" for the words "which is expressed to be for the benefit of any particular religious community." To that extent you might be achieving your object without harming the objects of charity which may be enjoyed by a particular community and yet which may be of an exclusively secular character. I commend these suggestions for the kind consideration of the hon. Finance Minister and I hope he will be pleased to accept them.

Mr. Chairman: Amendment moved:

In the amendment proposed by Shri B. R. Bhagat, *after* "public utility" *insert* "within the territory of India."

श्री धुलेकर : मुझे बड़ा अफ़सोस है कि पार्लियामेंट में जिस समय कोई विधेयक पेश किया जाता है तो उस समय इस बात का प्रयत्न किया जाता है कि जो लोग बिल्कुल सीधे मिजाज के भी हैं उन को भी किसी तरह छेड़ा जाय। आप खुद देखते हैं कि मैं इतने साल से बराबर केवल एक आयुर्वेद का काम लिए हुआ हूं और २०, २२ वर्ष से इसी बात का प्रयत्न करता रहा हूं कि सारे भारतवर्ष में ८५ फीसदी मनुष्यों को जिन को सरकारी रुपये से कोई औषधि नहीं मिलती है, उन को औषधि दी जाय। लगभग ८० करोड़ रुपया

[श्री धुलेकर]

भारतवर्ष में सालाना एलोपेथी पर खर्च किया जाता है, लेकिन लगभग पन्द्रह फीसदी मनुष्यों को ही एलोपेथिक औषधि मिलती है और ८५ फी सदी मनुष्यों को औषधि आयुर्वेद के द्वारा मिलती है, किन्तु यदि आयुर्वेद के लिए कोई मनुष्य खड़ा हो तो लोग तुरन्त इस बात को कहेंगे कि यह मनुष्य मालूम पड़ता है पुरानी संस्कृति का है । और इसलिए अगर तुम को कुछ गाली देना हो तो उस को हिन्दू कह दो । आज हमारे भारतवर्ष में यदि कोई अपमानित मनुष्य है तो वह हिन्दू कहलाने वाला जन्तु है, चाहे कांग्रेस के लोग हों, चाहे अपोजीशन लोग हों, किसी आदमी को यदि घृणा की दृष्टि से देखना हो तो उस को कह दो कि यह हिन्दू है । बारह बजे रात में अगर कोई बिरला मन्दिर में जाय, तो लोग कहेंगे अरे यह तो हिन्दू मालूम पड़ता है, मानों मन्दिर में जाना कोई बड़ी बुरी बात हो और उस को बड़ी हेय दृष्टि से देखेंगे, लेकिन यदि कोई गेलार्ड में जाय, वहां शराब पिये, चम्पफोर्ड क्लब में जाय और दूसरे क्लबों और होटलों में जाय और ताश फ्लेश वगैरह खेले तो वह यह समझे और लोग भी ऐसा समझें कि वाकई यह आदमी बहुत प्रोग्रेसिव है और अच्छा आदमी है । मैं स्टेट ड्यूटी बिल के अवसर पर अपने देशमुख साहब और खासतौर से काका साहब गाडगिल से कहना चाहता हूं कि मैं आप के सामने जो बात पेश करता हूं आप उस को सुनें ।

श्री श्यामनन्दन सहाय (मुजफ्फरपुर मध्य) : काका साहब गेलार्ड की तरफ़ जाते हैं क्या ?

श्री धुलेकर : मान लीजिये कोई सज्जन जिस के पास दो तीन करोड़ रुपया हो भारतवर्ष में घूमे और उस की इच्छा हो कि मेरा यह रुपया अच्छे कार्य में लगे । पहले वह दिल्ली से चलता है तो जामा मस्जिद सामने आती है और वह सोचता है कि इस की मरम्मत करा दी जाय तो बहुत अच्छा होगा और उस के लिए वह नोट कर लेता है कि इस की मरम्मत के लिए, बीस लाख रुपय दूंगा, यहां से चलकर वह आगरे के ताजमहल पर पहुंचता है और देखता है कि उस मशहूर और आलीशान इमारत पर जिस पर लाखों और करोड़ों रुपये खर्च हुए हैं, बहुत पुरानी हो चली है और उस की मरम्मत के लिए भी बीस लाख रुपया देना चाहिए, वहां से चल कर वह पंढ़रपुर जा पहुंचता है और बिठोभा के दर्शन करता है, वह चाहता है कि इस छोटे से मन्दिर को और बड़ा कराया जाय और उस के लिए वह पचास लाख रुपये देना चाहता है ....

श्री गाडगिल (पूना मध्य) : ऐसे देने वाले हैं कहां ?

श्री धुलेकर : जी, आज भी ऐसे देने वाले मौजूद हैं, हो सकता है कि आप के यहां ऐसे ऐसे मन्दिर नहीं बनाये होंगे, लेकिन मुझे मालूम है कि जिन लोगों को आप बुरा कहते हैं, यह हमारे सेठ तुलसीदास, समाज के उस वर्ग ने इसी भारतवर्ष में करोड़ों रुपये के घाट और मन्दिर इत्यादि बनवाये हैं । तो मैं आप को बतला रहा था कि वह आदमी उस मन्दिर के निर्माण के हेतु प्लान वर्क आउट करने के लिए इंजीनियर्स मुकर्रर करता है और दस लाख रुपये इस के लिए प्रोवाइड करता है और वह यह सोचता है कि बाद में नक़शा तैयार हो जाने पर वह इस मन्दिर पर पचास लाख रुपया और लगायेगा । इस तरह अपना रुपया ऐसे ऐसे सत्कार्यों में लगाने के बाद वह लौटकर आता है और दो करोड़ रुपये का वह गिफ्ट करता है, एसा तो नहीं है कि वह दो करोड़ रुपया ले कर के मिस्टर धुलेकर को दे देगा, या मिस्टर देशमुख को दे देगा या काका साहब को दे देगा, वह तो उन्हीं धार्मिक संस्थाओं को वह रुपया देगा जो उन का इन्तजाम करती हैं, और उन संस्थाओं में या तो हिन्दू होंगे, मुसलमान

होंगे, जैनी होंगे या पारसी होंगे, इस तरह के लोगों को वह देगा, और उन संस्थाओं को देकर के मान लीजिए कि वह पन्द्रह दिन के बाद मर जाता है, सब को रुपया वह दे चुका, और इन्तजाम कर गया, अब मदुरा के टेम्पुल के लिए उस की इच्छानुसार एक करोड़ रुपया मरम्मत पर लगाना है, जिन लोगों ने मदुरा का मन्दिर देखा होगा वह इस का सहज अनुमान लगा सकते हैं कि अगर उस की ठीक से मरम्मत की जाय तो कदाचित पन्द्रह करोड़ रुपये से कम खर्च नहीं आयेगा, मेरे मित्र कहते हैं कि क्यों साहब क्या दानी इस दुनिया में हैं मैं उन से पूछना चाहता हूं कि यदि दानी नहीं हैं तो मदुरा का मन्दिर कैसे बना, अगर दानी नहीं हैं तो मथुरा में सेठ जी का मन्दिर खड़ा है जिस में सोने का खम्भा है, जिस को हमारे काका साहब सोच भी नहीं सकते कि इतना दान हो सकता है, अब मैं फिर आप के सामने यह प्रश्न पेश करना चाहता हूं कि उस शख्श ने मदुरा टेम्पुल की मरम्मत के लिए प्लान और इंजीनियर्स पर उस ने पांच लाख रुपया लगाया और पांच लाख से मरम्मत शुरू हो गई और दस लाख रुपया खर्च हो गया और कुल लागत बनाने पर एक करोड़ के करीब आयेगी, अब वह शख्श इस के तीन या छै महीने के बाद मर गया, अब आप अपने कैलकुलेशन पर कहते हैं कि एक करोड़ में से ३१ लाख हम को दे दीजिए, उस के बाद आगरे के ताजमहल पर पहुंचते हैं, और उस से कहते हैं कि बीस लाख हम को दे दीजिए, और तीसरी जगह जाकर कहते हैं कि पांच लाख हमें दे दीजिए और इस पर भी आप कहते हैं कि यह धर्म के ऊपर आघात नहीं है । जैसा मैं ने प्रारम्भ में कहा, मैं आप से एक बात और बताना चाहता हूं और जिस चीज को मैं चाहता हूं कि यहां पर साफ़ हो जाय, यह सारी बातें बहुत से लोग इसलिए करने की कोशिश करते हैं कि कदाचित वह इस से पंडित जवाहरलाल नेहरू को सन्न कर रहे हैं ।

बाबू रामनारायण सिंह (हजारीबाग, पश्चिम) : बात तो यही है ।

श्री धुलेकर : मैं उन को बतलाना चाहता हूं कि श्रीमान् जी, सन् १९१६ से आज तक पंडित जवाहरलाल नेहरू के साथ जितना मैं रहा, उतना शायद ही कोई रहा होगा, सिवाय टंडन जी को छोड़ कर और कोई उन के साथ इतना ज्यादा नहीं रहा, जितना मुझे उन के साथ रहने का सौभाग्य प्राप्त हुआ है, मैं उन के दिल व दिमाग को अच्छी तरह जानता हूं और मैं समझता हूं कि जितने वह डेमोक्रेटिक और उदार चित्त के हैं, उतना दुनिया में आज कोई नहीं है, वह यह नहीं जानते हैं कि इस प्रकार की कोई छोटी बात यहां पर स्टेट ड्यूटी बिल के सिलसिले में उठायी गयी है वह तो बेचारे यही समझते हैं कि पब्लिक चैरिटीज ऐक्ट इज पब्लिक चैरिटी, वह यह थोड़े ही जानते हैं कि पब्लिक चैरिटी का अर्थ सिर्फ गवर्नमेंट के खजाने में ही टैक्स के रूप में देना है और किसी प्राइवेट संस्था को नहीं देना, मेरे प्रान्त के एक बड़े ऊंचे दर्जे के सज्जन बोले कि तुम तो ऐसा करो कि सब लोग जो भी बात हो उस में टैक्स दे दो और गवर्नमेंट को तुम टैक्स दे दो, तुम तर जाओगे, मैं साफ़ तौर से पूछना चाहता हूं कि क्या आप की गवर्नमेंट के कर्मचारी और क्या गवर्नमेंट का इन्तजाम इतना अच्छा है कि वह लोग दिल के ऊपर हाथ धर कर ईमानदारी से कह दें कि १०० रुपये में से साठ फी सदी जो पब्लिक के ऊपर खर्च होता है, वह ठीक तरह से खर्च होता है ।

मैं चैलेन्ज करता हूं इस बात का कि जो चार सौ करोड़ रुपया टैक्सों का हिन्दुस्तान देता है, उस में से ८० फीसदी से ज्यादा पब्लिक के हित में नहीं पहुंचता है और २० फीसदी के करीब हिन्दुस्तान के आफिसर्स ले रहे हैं। इस लिये जब तक हम को इस बात की गारन्टी

[श्री धुलेकर]

न हो जाय कि वास्तव में यह स्टेट जिस को हम यह रुपया देते हैं वह कल्याणकारी स्टेट है तब तक यह कहना कि आप हम को रुपया दे दो और स्वर्ग को चले जाओ ठीक नहीं है। मैं इस बात को कहता हूं कि जो मनुष्य अपना रुपया धर्म कार्यों में लगाता है उस का देश स्वर्ग को जा रहा है और उस की वजह से यह स्वराज्य हम को मिला। मैं जानता हूं आप भी इस के स्टैटिस्टक्स बनावें और देखें कि हिन्दुस्तान की लड़ाई में किस तरह के लोग जेलखाने गये और किस तरह के लोग फांसी पर चढ़े। मैं आप को यह बता सकता हूं कि शंकर राव मोरे की क्लास के लोग नहीं गये, वकील लोग नहीं गये, डाक्टर लोग नहीं गये, अफसर लोग नहीं गये। जो आदमी मन्दिरों में घंटा बजाते थे और जो राम का नाम लेते हैं वह लोग गये। आज आप कहते हैं हमारे मित्र कहते हैं हैं कि इस में से रिलिजस वर्शिन के भाग को निकाल दिया जाय। क्यों साहब रिलिजस वर्शिप को क्यों निकाल दें? हम हनुमान जी का मन्दिर बनाते हैं जो सदा के ब्रह्मचारी हैं, उन का मन्दिर बनाते हैं, आज हम रामचद्र का मन्दिर बनाते हैं जो हमारे मर्यादा पुरुषोत्तम हैं, हम योगेश्वर कृष्ण का मन्दिर बनाते हैं जो कि १६ कला के अवतार थे और पूर्ण ब्रह्म थे, तो हमारे मित्र कहते हैं कि उस के लिये टैक्स लगा दिया जाय? दो करोड़ में से २६ लाख रुपया गवर्नमेन्ट हम को दे दे तो मन्दिर बनाये चाहे न बनाये।

अब मैं दूसरी बात कहता हूं। सभी ओर कहा गया है कि इस पर टैक्स न लगाया जाय। आज आप एक बड़ा भारी बागीचा बना दें जिस में शाम को शकुन्तला नाटक प्रैक्टिकल रूप से खेला जाय, उस के लिये टैक्स न लगे, आप बड़े बड़े मकान बना दें जहां पर लोग अच्छा खेलें और चौबिसों घंटे प्राहिब्शिन के खिलाफ भी काम करते रहें, इस के लिये बिल्कुल छूट है, मैं कहता हूं कि यह क्या है? मैं आप से हाथ जोड़ कर विनती करता हूं कि आप इस बिल को बना कर के खामख्वाह अपोजीशन के हाथ में खेल रहे हैं। मैं तो कहता हूं कि इस बिल के पास होने की वजह से जो हमारे घनश्याम देशपांडे जी हैं जितना लाभ उन को होगा उतना रुपये का लाभ आप को नहीं होगा। उन को यह कहने का मौक़ा मिल जायेगा कि पंडित जी हमारे हिन्दू धर्म के खिलाफ हैं। हमारा कहना यह है कि हमारे मित्र ने कम्यूनल जामा तो खुद पहना है। अन्दर से वह कम्यूनल हैं लेकिन बाहर से वह अपने को नान कम्यूनल दिखलाना चाहते हैं: जो असली हिन्दू हैं जिस को कि वास्तव में सेकुलर कहना चाहिये, जो कि वसुधेव कुटुम्बकम् में विश्वास करते हैं, उन को हमारे मित्र कम्यूनल बतलाते हैं। मैं आप को बतलाना चाहता हूं कि आप की कांग्रेस पार्टी है इस लिये भगत जी ने यह सुझाव रक्खा है: भगत जी बड़े चालाक निकले, उन्हों ने अपने शेड्यूल्ड कास्ट के लोगों के लिये रख दिया। मैं कहता हूं कि इस से ज्यादा कम्यूनल और क्या हो सकता है कि अपने जाति वालों को रख लिया, ईसाइयों को रख लिया और इस ा वालों को रख लिया। क्यों साहब, ब्राह्मणों को क्यों नहीं रक्खा। आज सब से डिस्प्रेस्ड अगर कोई हैं तो भारत के हिन्दू हैं और उस में दूसरे नम्बर पर ब्राह्मण हैं। बम्बई में आज उन को नौकरी नहीं मिलती, यू० पी० में उन को नौकरी नहीं मिलती। आप के बिल में भी इसी ब्राह्मण को दबाया जा रहा है, वह कहते हैं कि आप तो ब्राह्मण हैं। मैं ने उस दिन भी कहा था और आज भी कहता हूं कि ब्राह्मणों में से ही आप को शंकराचार्य मिले, रामानुजाचार्य मिले। आज भी आप ब्राह्मणों ने पंडित जवाहरलाल नेहरू को दिया। देश भर में

ब्राह्मणों का ही राज्य है : डा० बी० सी० राय ब्राह्मण हैं, राजगोपालाचार्य ब्राह्मण हैं, पंडित पंत ब्राह्मण हैं। इतने बड़े बड़े लोगों को आप देख रहे हैं, आज आप डा० काटजू को देखिये, जिन की तीन लाख की प्रैक्टिस थी वह दो हजार रुपये पर काम कर रहे हैं। अपनी तीन लाख की वकालत को छोड़ कर जेलखाने गये और पांच सौ रुपये में यू० पी० में मिनिस्टर बने। मैं कहता हूं कि कौन है जो ब्राह्मण से अधिक त्याग कर सके। जो लोग आज मिनिस्टर और डिप्टी मिनिस्टर बनना चाहते हैं उन का मार्केट वैल्यू एक हजार की भी नहीं है। उन को ज्यादा मिलता है। लेकिन आज पंडित जवाहरलाल नेहरू, पंडित गोविन्द वल्लभ पंत और राजगोपालाचार्य की मार्केट वैल्यु लाखों रुपये की है। इसलिये मैं कहता हूं .....

Mr. Chairman: May I just request the hon. Member to come to the amendment before the House instead of discussing persons and individuals?

श्री धुलेकर : मैं कहना चाहता हूं और इस बात पर बहुत जोर देना चाहता हूं कि इस बिल को बिल्कुल नान कम्यूनल बना दिया जाय। नान कम्यूनल किस तरह हो सकता है? सिर्फ दो बातों से एक तो यह है कि :

> "but does not include any purpose which is expressed to be for the benefit of any particular religious community"

इस को निकाल दिया जाय। पब्लिक परपज शुड बी पब्लिक चैरिटी।

दूसरी चीज यह कि 'जिस मजहब का जो हो' इस का भी एक जुम्ला आप जोड़ दें क्योंकि पहले मैं ने ....

श्री गाडगिल : इस को आप बाद में कहें, अभी नहीं।

Mr. Chairman: That will come up subsequently for consideration.

365 PSD.

श्री धुलेकर : यह मैं इस लिये कहता हूं कि वह बनना चाहिये जिस से प्रत्येक मनुष्य ईमानदार रहे। जब आप इस में पब्लिक चैरिटी रखते हैं तो आप को हर बात का ध्यान होना चाहिये। मैं आप को इस पब्लिक चैरिटी का इन्टरप्रेटेशन देता हूं। मैं यह कहूंगा 'फार दि बेनिफिट आफ एनी पर्टिकुलर रिलिजस कम्यूनिटी', इस के लिये वकील लोग इस तरह का ड्राफ्ट करवायेंगे कि "यह रुपया मैं फलां जगह के हिन्दुओं को देता हूं ता कि वह जगत के कल्याण के लिये हनुमान जी का एक मन्दिर बनवा दें, अयोध्या में"। लीगल लेंग्वेज पर गौर फरमाइये।

श्री श्यामनन्दन सहाय : जगत के कल्याण के लिये।

श्री धुलेकर : मैं यह लिखता हूं कि "अयोध्या में एक हनुमान जी का मन्दिर बनाया जाय जगत के कल्याण के लिये" इस लिये "फार दि बेनिफिट आफ एनी पर्टिकुलर रिलिजस कम्यूनिटी" इन अल्फाज का यह मतलब निकाला जाता है कि हनुमान जी को पूजने वाला तो हिन्दू ही होगा, कोई मुसलमान और पारसी तो जायेगा नहीं, लेकिन आप चाहते हैं कि हम गवर्नमेन्ट के साथ लफ्जी बेईमानी करें क्योंकि इस में लिखा है कि "फार दि बेनिफिट आफ एनी पार्टिकुलर रिलिजस कम्यूनिटी"। हम को यह लिखना पड़ेगा कि हम हिन्दू कम्यूनिटी को तो देते हैं कि हिन्दू वह मन्दिर बनायें हनुमान जी का, लेकिन वह हर एक के लिये, ईसाई के लिये, पारसी के लिये, मुसलमान के लिये, सब के लिये खोल दें, दुनियां भर के लिये खोल दें।

श्री सी० डी० पांडे : कानून नहीं मानेगा।

श्री धुलेकर : हमारे एक मित्र कहते हैं कि कानून नहीं मानेगा। इस का मतलब तो यह है कि आप मुकदमेबाजी करना चाहते हैं। और अगर कुछ उल्टा हो जायेगा और

[श्री धुलेकर]

देखेंगे कि इस तरह हम कुछ नहीं कर सकते हैं तो हम उस में चार चीजें और जोड़ देंगे। हम यह लिखेंगे कि एक कोने में मन्दिर बनाया जाय और दूसरे कोने में गरीबों के लिये, औरतों के लिये, बच्चों के लिये और बूढ़ों के लिये यहां पर अन्न दान किया जाय। जब एक मन्दिर हिन्दुओं का बन जायेगा उस में कौन मुसलमान दरवाजे पर आयेगा? हम लिख तो जरूर देंगे, शैड्यूल्ड कास्ट के लिये लिख देंगे। सब कुछ लिख देंगे। लेकिन अगर एक कोने में मन्दिर बन जायेगा तो बाकी का क्या होगा?

तो मैं यह इसलिए पेश करना चाहता हूं कि कानून इतना साफ, अच्छा और बिल्कुल ऐसा होना चाहिए कि किसी के दिल में न तो यह पैदा हो कि मैं क्या कर रहा हूं और ना यह पैदा हो कि मैं बेईमानी करूं या न करूं और न वकीलों की जरूरत हो। मरते समय वह शान्ति से जो कुछ देना है दे सके। बाकी रहा वक्त के सम्बन्ध में वह मैं आगे पेश करूंगा।

Shri Gadgil: I am afraid, that though not deliberately, somehow or other confusion is sought to be created about the exact implication of the amendment moved by Mr. Bhagat. The line of attack is that this amendment is against all religion, that those who *bona fide* want to make any charity are prevented, this that and the other. The House will see that under clause 9, if any gift is made, whether to a private person or to a charity, there is no restriction whatsoever placed. The only question that becomes relevant with respect to this amendment is, when a gift is made six months prior to death, and also two years prior to death, what is to be the attitude so far as the taxing authorities are concerned with respect to such gifts and such gifts only.

Undoubtedly, it has been referred to in clause 9 that for the purpose of gifts made for public charitable purposes, the period shall be six months. It has therefore become necessary to define what is a charitable purpose. Where a charitable purpose comes within the meaning of this definition, then only the exemption is given: not otherwise. A taxation law is equal and must be equal to all interests that are covered by the charging section. If exceptions are to be made, those exceptions must be justified on public grounds and at the same time must be consistent with the spirit of the Constitution. What is stated here is really to give a proper lead to charity and to those persons who are charitably minded. We must not forget the social composition of our society. Unfortunately, certain classes have taken to business because of tradition, because of hereditary matters or whatever it may be and they are not only relatively but absolutely rich in relation to certain classes and communities which are mentioned here like the Scheduled Castes and Scheduled Tribes. Now, if you give a wide berth so far as these communities are concerned, it is just possible that all public charities will be made, the beneficiaries of which will be the members of a particular community, whether the benefit covers education or medical relief or maintenance of widows, etc. Is it or is it not our aim that our new society should be such in which there will be an equitable distribution of wealth and an enjoyment on some common level?

My esteemed friend Mr. Dhulekar talked about *dan*, this that and the other. May I, with great respect, submit to him that the definition of *dan* in the Hindu religion is: *dan* is *samvibhag*? *Dan* means equal distribution. It may be *sama vibhag* or *samyak vibhag*. If a donor or any person makes a gift and purely limits and restricts it to a narrow section of his own community, do you think that it is covered by the wide and noble definition which our *shastras* give. You have just to consider whether a gift of that kind comes within that definition.

I do not want to name the communities. They are very rich. There are the *brahmins*; at least they were traditional beggars and they believed in this and discharged the functions which the *Shastras* laid down for them. The *kshatriyas* did something; the *vaishyas* did some thing and the *sudras* did something. Now, these *vaishyas* have been in trade, in commerce and in industry, mostly and naturally they have got money. Is it or is it not the spirit of the modern times that these opportunities must be made equally available to all with the result that equality of opportunity should be made available on equitable principles to every member of the whole community and not to any particular community? We have in our constitution agreed that our democracy will be a secular democracy. It is therefore not only a moral obligation, but also a constitutional obligation to have legislation which will create that tendency and which will go to support and reinforce what is written in the Constitution. If you say that a gift can be freely given at any time to any religious community, you just can visualise what will be the result of a position like this. Do not mix up things. I have seen the temple at Mathura; I have seen other temples and mosques. For those who are really charitably minded to pay for them, there is nothing to prevent them from paying, two years before they die, not only one crore of rupees, but, the whole estate.

Shri Lokenath Mishra (Puri): But how is one to know when is he to die?

Shri Syamnandan Sahaya: There will be some provision in the Bill and Mr. Gadgil will move an amendment.

Shri Gadgil: If there is some mischance, they will have to pay something in addition. The exemptions and exceptions must be consistent with the provisions of the Constitution.

Shri V. G. Deshpande: What provision?

Shri Gadgil: That is the ideal which we have placed before us. If you will allow this thing to continue, it will mean that all the charities will go to particular communities: I do not want to repeat that. We must prevent this. We must give a lead. Whosoever wants to give money in charity, the class of beneficiaries must be co-extensive with the entire community and should not be restricted here or there. Mr. Dhulekar said something about *mandir*, etc. The whole idea is that if there is surplus economic power or money in the hands of any individual, the question for us to decide is whether he can indiscriminately, without any regulation or direction from the State dispose it off, or whether he shall be per force subjected to regulation and direction of the Government which is charged with the responsibility of implementing the provisions of the Constitution? So far as repairs to *mandirs* and mosques are concerned, there is the Archaeological department of the Government of India and it does something.

Some Hon. Members: Oh!

Shri Gadgil: You may not believe it. You can find out from the Budget or you can insist and the donor can say, I give this money.....

Shri C. D. Pande: The Banaras ghat are lying in ruin for the last 20 years.

Shri Gadgil: The difficulty is 99 per cent. of the people in this country are virtually beggars. What have you done for them? In order to deprive them and to allow these rich men to live for their own community people, you come and support them with arguments misquoting the *Shastras*. Is that fair on your part? I ask this straight question.

Dr. N. B. Khare (Gwalior): Can this quarrelling be allowed? He is not addressing the Chair.

Shri Dhulekar: A corrupt administration is responsible for this.

Shri Gadgil: I know how you are feeling. But, you have no feeling, no consideration for these Scheduled Castes and Scheduled Tribes. They are going half naked from generation to generation. What have you *brahmins* done for them? You have completely neglected them. What have the moneyed classes done for them in order to uplift them?

Shri V. G. Deshpande: They have donated to the Congress and placed you in power. *(Interruption.)*

Shri Gadgil: I say the moneyed classes should be demonetized in the highest interests of the society. If you do not do that, if you allow them scope under the pretext of public charity, it will not be long when you will have to rue for that, *(Interruption)* My friend Mr. More and others are anxious to bring that day much nearer.

Shri Syamnandan Sahaya: You are trying to take it far?

Dr. N. B. Khare: You are all responsible for that.

Shri Gadgil: Think dispassionately and reasonably. In fact, Government would have been wiser to stick to its own original amendment and not make any exception at all.

Shri C. D. Pande: We prefer that.

Shri Gadgil: Since an appeal was made, there is also some force in it that the members of the Scheduled Castes and Scheduled Tribes should benefit. Who is going to give them? I doubt whether there is any millionaire among the Scheduled Castes and Scheduled Tribes who can make a gift to them. But, somehow or other Mr. More thinks that a man from the upper classes may, in some lucid interval, be inclined to give some donation or some charity for the benefit of these classes. Why should it be prevented? It is that consideration which has appealed to my esteemed friend, the Finance Minister.

Therefore, do not go through it much. Give a lead, a liberal lead, a cosmopolitan lead and a correct lead to those who are charitably minded.

Shri C. C. Shah (Gohilwad—Sorath): Kaka Saheb Gadgil has appealed for a dispassionate consideration of this amendment.

Shri C. D. Pande: With great passion.

Shri C. C. Shah: With great passion, of course. I propose to confine my observations to the amendment itself without going into the sphere of religion, which is not my sphere. And I propose to point out that the amendment, as a definition of 'charitable purpose', is bad, and that on merits it is wrong—not on the grounds on which my friends on the other side have pointed out, but on other grounds entirely within the four corners of the Income-tax Act which it seeks to follow.

It seeks to give a definition of "charitable purpose". "Charitable purpose" is a very well-known expression all over the world and is defined in every legal text book. We seek to give here a definition which you will not find in any text book anywhere in the world.

An Hon. Member: Why not?

Shri C. C. Shah: Why not I will tell you. Let us go step by step. You will understand it.

It is said that we follow the Income-tax Act in giving this definition. The definition of "Charitable purpose" in the Income-tax Act is given only in Section 4 and that Section 4 of the Income-tax Act defines "charitable purpose" in this way:

> "In this sub-section 'charitable purpose' includes relief of the poor education medical relief and the advancement of any other object of general public utility".

But does not include a private religious trust. Private religious trusts

stand on a different footing altogether being meant for a family deity or something like that.

This is the only definition of "charitable purpose" in the Indian Income-tax Act. And we are told that in giving this amendment we are following the Income-tax Act.

Then a reference will have to be made to Section 15B. I know it and I will presently point out that section 15B has nothing whatever to do with the definition of "charitable purpose" and for a very good reason. It has been held times out of number and cannot be disputed even by the Finance Minister, that "charitable purpose" will include a charity for a section of the public. It may be a large section, or a small section. In the Tribune Case, for example, it has been made quite clear, that to call it a "charitable purpose", it need not be for the whole nation. And I will quote the words of Justice Tek Chand:

> "It is common ground that it is not necessary that the object should be to benefit the whole of mankind or all the persons living in a particular country or province. It is sufficient if the intention is to benefit a sufficiently large section of the community as distinguished from specified individuals."

If you look at this definition, it seeks to combine two things. In the first part. It defines "charitable purpose", in the same terms as given in section 4 of the Income-tax Act and then it goes on

> ".....but does not include any purpose which is expressed to be for the benefit of any particular religious community".

It is an entirely separate concept. A charitable purpose is a charitable purpose whoever may be the beneficiaries. The class of beneficiaries does not come into the definition of a "charitable purpose", but by the second part of the definition we seek to exclude from the benefit a particular class of beneficiaries, and this definition seeks to combine the definition of "charitable purpose" with a class of beneficiaries who are sought to be excluded from that benefit. How does that come in after "charitable purpose" was defined in section 4? Even under section 4 today, if an income is derived from property held for charitable purposes as defined in section 4, even though that property is held for a particular religious community, if it is held exclusively for the benefit of that charitable trust, that income will be exempt from income-tax. Then, certain people made a representation to Government to say that instead of only exempting the income from such property held for charitable purpose, the Government should also exempt donations made to certain institutions, which are also for a charitable purpose. When you come to that, you come to an entirely different concept. When the Government wanted to give exemptions for such donations, the Government said—I will read section 15B:

> "Such institutions should be for a charitable purpose, and should be approved by the Government."

These words the only two conditions which were put in section 15B "charitable purpose" remained charitable purpose as defined in section 4. It may be for a part of the community, the whole nation, the whole of mankind or for a section of the community. The approval of the Government was put in only for this reason that it may not be to all and sundry institutions.

Shri C. D. Deshmukh: Where is the approval, may I know?

Shri C. C. Shah: The old section 15B.

Shri C. D. Deshmukh: Not the new one.

Shri C. C. Shah: I will also come to the new one. Let us have an analysis of it. The two conditions were that it should be for a charitable purpose, and it should be approved by the Government. The Government then had certain rules for approval—administrative rules, that such and such institutions will be approved. It appears that

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the Government found it very inconvenient to approve institutions from time to time—probably the Government was pestered by all kinds of people—and the Government thought: "We must generalise the conditions and say where we will give such approval", and then came the new section 15B. And that section 15B also says:

> "This section applies to any institution or fund established for a charitable purpose."

And the definition of "charitable purpose" remains the same as in section 4, *viz.*, it may be for a section of the community or for the entire nation. But, instead of the word "approved" in the old section, it sets out five conditions which must be fulfilled before the donation to such an institution is exempt from income-tax, and one of such conditions is:

> "Such institution is not expressed to be for the benefit of any particular religious community."

This condition that the institution should not be for the benefit of any particular religious community has nothing to do whatever with the definition of a "charitable purpose". This condition attaches to an institution to which you make a donation which the Government says "I will not exempt from income-tax", because that institution is of a particular religious character, but the definition of "charitable purpose" remains what it is under section 4.

And by this definition, you are seeking to do something extraordinary. You are trying to put into it a condition that not only the institution should be of this or that character, but that it shall not be considered a charitable purpose at all if it is for the benefit of a particular religious community.

Dr. M. M. Das: So far as this Bill is concerned.

Shri C. C. Shah: You will have some patience. I know for the purposes of this Bill we say it shall not be considered a charitable purpose.

When this matter was being discussed—the new section 15B—this was the point which was precisely raised by one of the Members—I believe it was Mr. Dhulekar himself—and Mr. T. T. Krishnamachari gave this explanation. I will also come to the merits, but I want to point out that as a definition it is bad. This is what Mr. Krishnamachari said:

> "The position is clear. This section 15B is totally different from the charging section which is section 4. My hon. friend has in mind the charging section, which is section 4"—because one Member pointed out that the definition of "charitable purpose" would be changed—
>
> > "There is no point in relating section 15B to the charging section which stands on an entirely different footing. It does not relate to charitable institutions as such but only to those people who give their donations to charitable or other institutions. Merely because of some kind of similarity in nomenclature this matter has been causing a certain amount of confusion. Here is something, the definition of which, *inter alia* includes charitable purpose for the benefit of a particular religious community."

That confusion which Mr. Krishnamachari pointed out is sought to be carried into this definition because of the similarity of nomenclature, that the institution must be for a charitable purpose and it must fulfil certain conditions. There are five conditions given. Can any one say that all these five conditions form part of the definition of a public charitable purpose? Take for instance, this Estate Duty Bill. It is a very important Bill. We study the Estate Duty Acts of other countries, and probably our Estate Duty Act also will be studied in the world. Supposing anybody without any background, reads the definition given in this Bill, of a public charitable purpose, he will wonder, what

has happened to India, a charitable purpose is a charitable purpose, and yet the definition excludes from the benefit, every religious community. You may have any other purpose, and you may achieve it in any other manner, but as a definition, I submit you are doing something which is totally wrong. The term 'charitable purpose' is a well-known expression. I can understand section 15B of the Income-tax Act, being separate from the charging section, stating that donations given to certain institutions will not be exempted. But if you put it in the definition, I dispute it.

Coming to the merits, even apart from the form of it, we have to consider why we have imposed this limitation. I have read the whole debate in regard to section 15B. But with all respect I should say that nobody seems to have bothered about the implications of a provision like that. I have still not seen any reason given but it is said that it is there because we do not want communal charities. That is the general thing. Now what is a communal charity? What is it that you do not want? You will find, however, that sectional charities are permitted. If it is for a village, then it is good. If it is for a linguistic area, for Maharashtra or for Gujarat, or for Telengana, then it is good. If there is any other limitation it is good, but you select only one out of those limitations, and disapprove of it on the ground that it is for a particular religious community.

Shri B. S. Murthy (Eluru): Very bad, is it not?

Shri C. C. Shah: I shall presently come to the question whether it is good or bad. But why is there only this one limitation? If you allow a charity for a section to be good, why do you select a particular section and say you disapprove of it? The only reason which I can find is this. With the utmost respect, I beg to make the submission that political, communal or religious organisations have done us such immense harm that our psychology has been warped, I should say, and we project into every walk of life, and every field of life, the evil effects of political communal organisations. That is the real reason for this amendment. Let us now consider whether it is worthwhile doing so or not. Political communal organisations exist for power, to get something from everybody. A charitable institution exists to give. It is for service, maybe to a small section or a large section. But it exists only for service. Now these are two concepts which are entirely different. You may condemn a political communal organisation as much as you like. If you want to promote charities and there are limitations on it, either territorial or linguistic or otherwise, then you say, yes, but you select one limitation and, if it is for a religious community, you say, no. If it is territorial, you say, yes; if it is linguistic, you say, yes; if it is for a caste, you say, yes. But if you give it for a particular religious community, then you say, no. (*Interruptions*) I shall argue this point.

Take for instance, a community like the *Agarwal* community. It is not a religious community. An *Agarwal* may be a Jain or a Hindu; he may belong to any religion. The term *Agarwal* denotes only a caste. If a person gives charity only for the *Agarwal*, the *Oswal* or any other similar community, then it will not be hit under this amendment. But if he gives it for all the 28 crores of Hindus, then that charity will be hit under this amendment, because it is for a particular religious community. If he gives for all the people of Maharashtra or Gujerat, then it is good. But if he gives for the 28 crores of Hindus, then it is bad. (*Interruption*) I beg of you to consider why we have introduced this limitation.

Shri Pataskar (Jalgaon): Hinduism also can be called a culture, and not a religion.

Shri C. C. Shah: There is enough room for argument over this matter, and honest differences of opinion. I concede that point. I am speaking now wrom experience. I am not speaking merely on theoretical grounds. I am managing several such institutions

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and for nearly 25 years I have been managing several such institutions, and I can say that these institutions provide educational facilities and medical relief etc., partly for a particular community, and partly generally. I have never found that institutions of this character, which are meant for doing service to a part of the people and not the whole, have engendered any communal feelings. The main point here is that we want to avoid any communal feelings. I concede that point. But there are limitations to a man's sympathy, as to his purse. He would first like to give to his own village. Why do you accept that limitation? Are you prepared to provide in this clause, that no charitable gift shall be rendered valid, unless it is for the whole of the nation? I ask *Kaka Saheb* this question.

Shri Gadgil: I am agreeable. Ask the Government whether they are agreeable.

Shri C. C. Shah: I am considering to what length you can go, and to what extent you cannot. Are you agreeable that no charitable gift shall be valid, if it is for a linguistic area?

Shri Gadgil: Ask the Government. (*Interruptions*).

Shri C. C. Shah: I was submitting that there are limitations to a man's purse, as to his sympathies.

For instance, there are floods in the Godavari. Being Indians, we have great sympathy for the flood-stricken people, and we would like to contribute something towards their relief. If there are floods in Saurashtra, naturally the people of that area will have a greater claim upon me than the people affected by the Godavari floods. Supposing there are floods in China, we might still like to help the affected people, as we would like to be humanitarian in our sympthies to the people of China, and also to the people of the whole world. But the flood-stricken people of China would have a lesser claim upon me than the people of India. If you accept these limitations on a man's purse, as on his sympathies, then why do you select for your disapproval only one particular class of beneficiaries of a particular denomination, called a religious community? Why do you select only this particular limitation out of so many other limitations? It is because—I say so with all respect—our political past is pursuing us with a vengeance even in the field of charity or service. Leave aside the question of religion and all that kind of thing, for I am not concerned with that. My main point is this. A person would first like to look after his own people, before he looks after others. A man naturally wants to look after his own neighbour first, before he can look after the people in Agra or Allahabad. Would you call it wrong, if he looks after the people of his own village? If it is for a particular community, then you may say that it subconsciously creates a communal outlook, and reminds a man that he belongs to this or that community. I agree with that point. I will not dispute that proposition that to a certain extent, if there are communal charities, they remind a man that he belongs to this or that particular community. But what is the kind of limitation that you are selecting here, by the term 'religious community'? Are we envisaging any state of society in India, when a man should cease to be reminded that he is a Hindu or a Jain or a Muslim or a Parsi?

Shri B. S. Murthy: That is our goal.

Shri C. C. Shah: I can understand that there is room for an honest difference of opinion on this point. I want a dispassionate consideration of the problem. I know some of my hon. friends hold this view. But I say with all the experience which I have got, apart from merely theoretical grounds on this particular point.

To give you an instance, the Bombay Government appointed about three or four years ago, a Committee to investigate into all the public charitable trusts in the Bombay State, with a view to control and regulate their administration and management. I was

the Secretary of that Committee, and I had occasion to study the composition, so to say, of all these public trusts. The majority of the Committee were of the view, which we are now taking in a way, that we should make legislation to the effect that where there is a charity for a particular community, compulsorily about 20 to 30 per cent. of other communities should also be given the benefit of that charity. It was a laudable object. I was the only person, however, to point out that however laudable our object may be, it is not feasible to enforce it by legislation, and though mine was a minority view, the Government of Bombay while framing their legislation, accepted the view which I had put forward.

Shri Syamnandan Sahaya: I hope your voice will have the same strength today.

Shri C. C. Shah: I do not know. I am not interested one way or the other. But what I feel is this. The real reason why this limitation has been put in is—as Kaka Saheb put it in his own way—that some communities are rich, and so they will look after their own poor. But what about the poor of my community?

Shri Gadgil: My country is poor.

Shri C. C. Shah: Let us analyse it. There is a very laudable object. Supposing a man educates his own children, while there are thousands and thousands of others' children who are uneducated, do we say that he is doing a wrong thing because he is looking after the education of his own children (*Interruption*) at the expense of others? I ask, does he do it at the expense of others? Supposing there is a hostel for college students for Parsees, is that hostel at the expense of anybody? (*Interruption*) I do not think it is.

I shall give an instance to the Deputy Finance Minister. It is a good instance which I can give. He studied at what is known as the Gopaldas Tejpal Boarding in Bombay which is only for Hindus. Did he do any wrong in taking advantage of that body? I mean that body has brought out some of the best men in India. Our Chief Minister, Mr. Morarji Desai, was a student of that institution. Mr. Justice Bhagawati of the Supreme Court was from that body. I do not know what they would have been but for this. Was it at the expense of anybody? That is where I still wish to submit that the two spheres are different. One is a political communal organization, where it is power: there, they want to take something. In a charitable institution, the idea is to give. It may be that they give to a smaller section than a larger section. But the idea is one of service.

In ending my observations, I will read what the Finance Minister stated in 1948 in introducing section 15B which is now sought to be copied. This is what he says:

> "There is a widespread feeling that with the heavy taxation to which incomes are now subject, there is very little scope left for assistance by the public to deserving institutions and charities."

I am quoting the Finance Minister:

> "I have received a number of representations on this subject, and after careful consideration of the matter, I feel that a measure of relief on contributions made to recognized institutions and charities would be justified. In this country there is a far too general tendency for charitable and other institutions to look to the State for assistance and not to the public. To the extent to which there is a larger flow of private benefaction to such institutions, the burden on the State for supporting them will be reduced."

I cannot do better than to commend these words to the House. I submit that the State should not discourage such kind of institutions.

Shri Bhagwat Jha (Purnea-*cum*-Santal Parganas): It is not 1948.

11 A.M.

श्री बी० पी० सिन्हा (मुंगेर सदर पश्चिम) : मैं अपने संशोधन नम्बर ५९८ का

[श्री बी० पी० सिंहा]

समर्थन करता हूं। अभी काका साहब गाडगिल ने कहा कि हमारी नीति ऐसी होनी चाहिये जो संविधान के अनुकूल हो। मैं कोई राजनीति का पंडित नहीं हूं लेकिन बहुत ही नम्रता पूर्वक वित्त मंत्री जी से निवेदन करूंगा कि इस संशोधन में संविधान की धारा २५ और धारा १४ का भाव एक नहीं मालूम पड़ता है। इस लिये वह इस विषय पर विचार करें। इस संशोधन में आदमी से आदमी का भेद किया गया है। संशोधन नं० ४७५ के सम्बन्ध में अर्थ मंत्री ने बताया था कि वह कोई एक उत्तम तरीका निकालेंगे, उस तरीके के मुताबिक यह संशोधन आया है, यह संशोधन उस से भी ज्यादा बदतर अवस्था में है। इस पर हम को विचार करना चाहिये। कम से कम मेरा अपना यह ख्याल है। यहां बहुत सी बातें कही जाती हैं जो कि संविधान हम को अधिकार देता है उस में बाधक होती हैं। इस प्रकार से संविधान की उपेक्षा होती है। मैं नहीं समझता कि इस प्रकार से लोगों के हृदय में संविधान के प्रति क्या भावना रह जायेगी। धर्म के नाम पर हम को बहुत सी चीजें दी जाती हैं। हम को धर्म के आधार पर खाने का हक है, कपड़े का हक है और वह हमें मिला करता है। हम समझते हैं कि हिन्दुस्तान एक धार्मिक देश है, धर्म प्रधान देश है, और यहां धर्म के नाम पर लोगों के दिल में श्रद्धा की भावना पैदा होनी चाहिये। आज जो धार्मिक रूढ़ियां प्रचलित हैं उस को धर्म का नाम दे कर हम धर्म शब्द का मतलब निकाला करते हैं यह बहुत अफ़सोस की बात होगी। देशमुख साहब जो संस्कृत के विद्वान् हैं जब वह धर्म के नाम पर धार्मिक रूढ़ियों को दृष्टि में रख कर धर्म की व्याख्या करते हैं तो मैं नहीं समझता हूं कि इस देश में कोई धर्म समृद्धिशाली हो सकता है। मैं कहता हूं कि धर्म के जो दस लक्षण हैं उन में कौन सी बात राष्ट्रीय के विरुद्ध जाती है। हम अपने को हिन्दू कहते हैं लेकिन मैं हिन्दू धर्म के मानने वालों से कहता हूं कि जहां पर गीता धर्म का वर्णन किया गया है उस में, ब्राह्मण में, चांडाल में, गाय में और कुत्ते में भेद नहीं होता। आज इस से बढ़ कर कौन धर्म हो सकता है हम अपने को हिन्दू कहते हैं लेकिन मैं अपने को उस क्लास में मानता हूं जिस में तुलसीदास जी ने कहा है :

"निज प्रभुमय देखहुं जगत, तासों करहुं विरोध"

जब आप के मन में यह भावना आ जाय और आप अपने को भक्त समझें और सब को ईश्वर, आप इस धर्म का प्रचार करें तब मैं समझता हूं कि देश के लिये भाग्य का दिन होगा। आज धर्म की गहराइयों में न जा कर रुढ़ियों को धर्म का नाम दे कर लोग धर्म की विवेचना करते हैं। मैं समझता हूं कि लोगों को ऐसा धर्म बरतना चाहिये जिस में धर्म की निष्ठा होती है। इस संशोधन को अगर आप ध्यान से देखेंगे तो इस में आखिर छटता ही कौन है। इसमें शेड्यूल्ड कास्ट आ जाते हैं, शेड्यूल्ड ट्राइब्स् आ जाती हैं, बच्चे आ जाते हैं, स्त्रियां आ जाती हैं, इस में बैकवर्ड क्लासेज आ जाती हैं। तो मैं अपने वित्त मंत्री महोदय से बहुत आदरपूर्वक पूछना चाहता हूं कि आखिर इस में कौन सी जाति छूट जाती है, जिस पर यह मृत्यु कर लगाया गया है? मैं बहुत नम्रता पूर्वक यह निवेदन करना चाहता हूं कि संविधान की रक्षा के लिये, संविधान के सम्मान के लिये आप को इस बात पर पूरा ध्यान देना चाहिये। जो अच्छी चीज हमारे सामने आती है उस चीज पर पूरा विचार किया गया है। यदि इस अधिनियम को हम इसी रूप में मान लेंगे तो हम समझेंगे कि हम संविधान की उपेक्षा कर रहे हैं, संविधान की भावना की कद्र नहीं कर रहे हैं। आज जो धार्मिक रूढ़ियां हैं उन को धर्म कह कर हम धर्म की उपेक्षा करते हैं और जहां पर कि जीव मात्र में हम भेद भाव नहीं करना चाहते हैं वहां पर यह कानून मनुष्य मनुष्य में भेद

भाव पैदा करता है । इस लिये मेरा नम्र निवेदन है कि इस संशोधन को जो मैं ने रक्खा है कबूल करने से यह सारी त्रुटियां दूर हो जाती हैं और एक बहुत ही व्यापक चीज हमारे सामने आ जाती है ।

इन शब्दों के साथ मैं अपने संशोधन का समर्थन करता हूं और स्वीकार करने का आग्रह करता हूं ।

Shri Mohiuddin (Hyderabad City): I support Mr. Dhulekar and others that the discrimination that has been proposed in the amendment by Mr. Bhagat should be dropped. Article 28 of the Constitution makes it clear that the institutions run by the State should not impart any religious instruction, nor does the State exchequer incur any expenditure, except for buildings of archæological interest, for the maintenance of mosques or temples or *gurdwaras*. Clause (3) of article 28 in regard to aided schools does give a little relaxation in this respect, but the interpretation put by the various State Governments is very narrow. That is to say, even the aided schools are not permitted to impart religious instruction within the specified school hours. They can, if they like, do so after the school hours.

Kaka Gadgil had referred to consistency and said that when we are considering legislation, we should be consistent with the spirit of the Constitution. I think it will serve the purpose of consistency when we allow private persons to maintain, run and donate to, institutions for imparting religious instruction or for maintenance of places of religious worship. It is obvious that in India religion plays a very important part. I agree with Mr. Shah when he said that unfortunately religion had played a part quite inconsistent with the spirit of religion itself. If a religious community had taken perverted advantage of religion in regard to acquiring political power, that spirit should not pervade any legislation which we propose to introduce in respect of death duty and taxation by restricting the private enterprise in sustaining the religious teachings and maintaining places of religious worship.

Shri Dhulekar had referred to crores of rupees being donated Crores! There are very few people who probably own crores of rupees. There are a few, no doubt, but it is unnecessary to frighten the Finance Minister by saying that crores of rupees will be donated and the exchequer will be deprived of the taxation that may accrue from this legislation. It is really not crores of rupees, but only small donations that are made for maintenance of temples, mosques and so on and also for maintenance of religious instruction. It will be the small donations given by the middle class or upper middle class who own about three or four lakhs of rupees that will really be affected by this legislation, if it is passed in the way in which it has been proposed. The sentiment expressed by the House on the proposed definition of charities has been so intense that I appeal to the Finance Minister that consideration of this clause may be postponed; it should be considered separately so that a definition is arrived at which is acceptable to all sections and all parts of the House. One suggestion that I would like to make is that if the Finance Minister is afraid that crores of rupees worth of property will be donated and tax evaded in this away, a maximum amount given for charitable purposes that will remain exempt may be laid down. (*Interruptions*) That is only about Rs. 1,500, but the exemption I suggest should be much more, about Rs. 50,000 or Rs. 40,000, made particularly for maintenance of religious places of worship or for places of religious instruction.

I, therefore, suggest that the confusion that has been caused by the first amendment and then subsequent amendments will be removed only if this clause is considered impartially and dispassionately and some definition arrived at by which all parts of the House will be satisfied.

Pandit K. C. Sharma (Meerut Distt.—South): *rose*—

Mr. Chairman: There are only three or four minutes left before we take up other business. If the hon. Member can finish within three or four minutes, I will certainly call upon him.

Pandit K. C. Sharma: Oh, yes. Sir...

एक माननीय सदस्य : हिन्दी में बोलिए।

पंडित के० सी० शर्मा : मुझे दो तीन मिनट में केवल यही बात कहनी है कि मुझे बहुत ही आश्चर्य हुआ कि मेरे लायक दोस्त ने एक ऐसी बहस की कि साहब मैं अपने बच्चे को पढ़ाता हूं, किसी पर क्या जुल्म करता हूं, क्या ज्यादती करता हूं। मैं पूछता हूं कि क्या कोई आदमी अपने बच्चे को पढ़ा सकता है यदि पुलिस उस की रक्षा न करे या बाहर के हमले से फौज उस की रक्षा न करे। तो जो पुलिस या फौज जो सोसाइटी की रक्षा करती है तो यह बगैर इस ख्याल से करती है कि किसी का धर्म क्या है। जिस तरह से आज समाज का संगठन फल फूल रहा है उस में किसी आदमी का यह कहना है कि मैं अपने बच्चे को पढ़ाता हूं, या अपनी जाति के लिए काम कर रहा हूं या अपने धर्म से सम्बन्धित आदमियों के लिए काम कर रहा हूं मैं समझता हूं कि समाज के हित में नहीं होगा। मैं समझता हूं कि यह ठीक है कि एक आदमी एक गांव में पैदा होता है, वहां रहता है, वहां रुपया कमाता है तो वह अपने गांव के लिए काम कर सकता है। लेकिन मैं पूछता हूं कि जब वह गांव के बच्चों के साथ खेलता था तो क्या सिर्फ ब्राह्मणों के बच्चों के ही साथ खेलता था मुसलमान के बच्चे के साथ नहीं खेलता था। तो किसी को क्या अधिकार है कि जिस सम्पत्ति को उस ने सब की सहानुभूति और सहायता से पैदा किया है उस के लिए वह यह कहे कि मैं तो इस को केवल ब्राह्मण के लिए छोड़ सकता हूं लेकिन मुसलमान के लिए नहीं छोड़ सकता। मैं समझता हूं कि ऐसा सोचना और ऐसा करना समाज के संगठन पर कुठाराघात है और जो आज कल समाज की नीति है, जिस तरह से समाज का संगठन चल रहा है उस की जड़ में कुल्हाड़ा मारना है। ऐसा सम्भव नहीं हो सकता। यह सवाल नहीं है कि यह उचित है या अनुचित, बल्कि मैं तो यह कहता हूं कि यह संम्भव नहीं हो सकता। ऐसा नहीं हो सकता है। इसलिए मैं समझता हूं कि देशमुख और भगत साहब के जो संशोधन हैं वह मान्य हैं और उन को मंजूर करना चाहिए।

Mr. Chairman: How can both the amendments be accepted at one and the same time?

Pandit K. C. Sharma: I meant the amendment of Shri Bhagat.

समाज का एक टुकड़ा, एक गांव या कोई दूसरी छोटी जगह एक आदमी के रहने और उस के रुपया पैदा करने में सहायता दे सकते हैं लेकिन हिन्दू या मुसलमान होना यह सहायता नहीं दे सकता और जिस की मदद से जो कुछ पैदा किया गया है उस को उस से लाभ पहुंचना चाहिए। यह सीधी न्याय और धर्म की बात है। इस में कोई कुटिलता की, चालाकी की या खास अक्ल की बात नहीं है।

Mr. Chairman: This debate will now be adjourned and we will take up the next subject.

SUGAR AND SUGAR-CANE PRICES

Sardar Lal Singh (Ferozepur-Ludhiana): When I expressed the desire the other day for one-hour discussion, I found ready support from the leading Members of all parties in this House so that it is a matter of gratification that the subject is going to be discussed above petty party politics.

Further, I have the satisfaction of echoing the feelings of all the patriotic and intelligent classes of people who feel that justice ought to be done to the cultivators. (*Interruption*).

You might have read the other day news from U.P. and Bihar of the meetings that were held by the Chief

Ministers of U.P. and Bihar and they have supported the cause of the cultivators. Coming straight to the question of sugar-cane prices, I had said last time that there were only two ways of dealing with the problem, namely, (a) to guarantee to the cultivator the cost of production and leave him a reasonable margin of profit, a procedure which should be satisfactory to both the consumer and the grower or (b) to allow full play to the law of "Supply and demand" so that if the cultivators in years of overproduction or in years of glut have got to accept a very low price, they may expect to get high prices in years of low production. But the present price-fixation policy is such which works always to the detriment of the cultivator because if there happens to be over-production, then, of course, he is allowed to go to the wall. For instance, only two years ago when the price of *gur* had gone done to rupees five a maund against the controlled rate of Rs. 20 in India and the prevalent rate of Rs. 25 in Pakistan, the Government did not care to do anything. While the cultivators were crying in agony some of the industralists and some of the "high-ups" here had the hardihood even to issue statements expressing satisfaction at the lowering of prices. On the other hand, if there is low production in any year, then control price is fixed to deprive the cultivator of the chances of getting good prices in that year.

The third alternative is to fix the price one year in advance. In Canada the price is actually fixed 18 months in advance to enable the cultivator to decide what crops to grow and on what area. Here, in India as you know, the price is fixed at a time when the crop is ready, when the cultivator has incurred all expenses and when he has got no other alternative but to sell the crop at any price he can get. In this connection, what Pandit Pant, the Chief Minister of U.P. said, a few days back, is noteworthy. He said that if the price of sugar could not be reduced due to the then prevalent high prices of *gur* and *khandsari*, then there was no justification for reducing the price of sugar-cane last year. The cane-growers were a weak party; cane being perishable could not be withheld from sale. They had, therefore, to agree to the reduced price. It cannot be denied that they deserved better and more sympathetic consideration. He said the Board should keep this in view while fixing the can prices. The House will agree that this is one-way traffic that is working all the time to the detriment of the cultivator; whether there is over-production or there is low production, it is the cultivator who is expected to suffer loss every time.

The report of the Tariff Board is frequently made use of in favour of reducing the prices, without realising the fact that the recommendations of the Tariff Board have turned out to be a pious wish, just as the Central Government thought that India would be self-sufficient in food by 1950 or 1951—a pious hope no doubt—but which has remained unfulfilled and may remain unfulfilled because of the present policy of the Government. The real question is, has the cost of production gone down since the Tariff Board recommended that price? It will not be denied that the cost of production, if anything at all, has gone up.

Secondly, if the Tariff Board recommendations were so sacrosanct, how is it that the Central Government, in consultation with the States, had fixed the price at rupees two per maund in 1948 and subsequently at Rs. 1/12 in disregard of the recommendation of the Tariff Board? (*Interruption*).

Last year there was a drastic cut of 25 per cent. as you all know. It was done in the face of the bittrest opposition from the cane growers who even observed a day of mourning. It was done against the advice of important cane-growing States like the Punjab, U.P. and Bihar; it was done against the warning of the Indian Sugar-cane Committee which is the highest body concerned with sugar, and which warned the Government that a sudden and drastic cut would prove disastrous to the industry. It was done against the advice of the sugar-cane experts who warned the Government that this low price would leave no incentive to

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the cane-cultivators to use fertilisers or insecticides. All these protests were ignored on the plea that the price of sugar had got to be reduced in the interests of the consumer.

Now, we have had the experience. Has the consumer benefited to the least extent? The cultivators were deprived of the hard-earned income of 20 crores of rupees on the cane that was supplied to the factories alone. But, has there been a corresponding decrease in the price of sugar? I am sorry to note—and all of you would agree—that it is not so. Then, are not the cultivators at present justified in demanding from the Government the *pro rata* share of the extra profits that have been earned by sugar mills?

In this connection, I got only the other day, very interesting data from Shri Krishnamoorthy and Mr. Ranga Reddy, one of whom is the General Secretary of the Hyderabad State Cane-Growers Association and the other is the Vice-President of the District Congress Committee there. I have no reason to doubt their statement because the Nizam Sugar Factory is practically a Government concern and the chairman of the board of directors is no less a person than the Minister himself. According to the statement that has been supplied to me, this factory crushed last year 392,000 tons of sugar-cane as against 396,000 tons in the preceding year, that is, 4,000 tons less than in the previous year. But the actual production of sugar on account of higher sugar recovery, was 40,000 bags more than in the preceding year which means an income of about 30 lakhs of rupees extra. Over and above that, the Control rate was only Rs. 1/5 per maund as against Rs. 1/12 in the preceding year; through this also they got another 40 lakhs of rupees or a total profit of 70 lakhs of rupees and no wonder that this factory is said to have declared a profit of Rs. 80 lakhs last year. When the sugar-cane growers approached the sugar mill and asked for *pro rata* share of the profits, a very interesting reply was received, stating that no doubt there had been profit in sugar manufacture but there had been enormous loss—enormous is the word that is used—there had been enromous loss in the production of cane which the factory had to produce. Could there be a greater proof than this that the actual cost of production was more than the control rate of Rs. 1/5? This is the state of affairs of a sugar mill which grows cane on scientific lines and they are said to have suffered a loss of Rs. 200 per acre even though they have allowed Rs. 1/6/4 per maund for cane instead of Rs. 1/5 control rate.

Our public is sometimes fed on cheap slogans and mutilated statistics. For instance, they say that the fall in prices does not affect production; secondly that sugar production is at the expense of food production and thirdly, Indian sugar has got to be cheap so that it may compete in the foreign market. I feel I must expose the fallacy or hollowness of these statements.

Firstly, that the price does not affect production: the price of cane in 1946-47 was Rs. 1/4 and the production of sugar was nine lakh tons. In 1947-48 the price rose to rupees two and the production went up to 10.7 lakh tons. (*Interruption*) I have got limited time. If I am interrupted, the Chairman will have to give me more time.

The Minister of Food and Agriculture (Shri Kidwai): If the price is raised this year, then will production rise?

Sardar Lal Singh: I am afraid that I cannot get into a discussion for I will lose my time. This time will have to be deducted, Sir.

In the following two years the price was reduced to Rs. 1/10; the production also fell down to ten and 9.7 lakh tons respectively. In 1950-51, price was raised to Rs. 1/12 and production went up to 11 lakh tons, with the highest figure in the following year that is 15 lakh tons. This definitely shows that the higher the price, the greater the sugar production.

It is sometimes said that the acreage under cultivation is not affected. Those who understand the elements of agriculture know that a fall or rise in prices cannot affect the acreage *at once* because the land for sugar-cane is prepared about a year in advance. The cultivator cannot do anything but to sow the same crop even though he may know that he is not going to get a higher price. Further, in the case of cane, the crop once sown, has got to be kept as *ratoon* for one or two years.

An Hon. Member: Three years.

Sardar Lal Singh: So some times these statistics are highly misleading. That is why some people strongly feel that we must not rely too much on statistics. In spite of this, however, when the price of cane was low in 1946-47, the acreage was about 34 lakhs, but with the rise in price of cane, the area since then has varied from 37 to 43 lakh acres, definitely showing increase in production.

A few days ago, in answer to one of my Short Notice Questions, the hon. Minister referred to a progressive farmer in Punjab, evidently referring to me. Personally, I feel that it is not advisable, it is not good taste, to enter into personal discussions. We are discussing general principles. But let me mention that, firstly, the information that he gave was wrong; secondly, instead of getting information through other sources, spending so much Government money, he could have asked me and I would have gladly given him the data. Thirdly, there are other cane-growers in the vicinity, including a retired Director of Agriculture, and another retired officer of the Agriculture Department, and their records will show that the area under cane on their farms has gone down greatly. We should always discuss matters on principle. It is bad taste to indulge in personal references; nor does it serve any useful purpose. It may be a good political tactic, but it is not conducive to the proper understanding of the problem, nor to the creation of a better atmosphere. So I would not like to further indulge in affairs of individuals.

The second slogan that has got publicity in the papers and also certain currency, is that sugar production affects food production. In this connection it should be remembered that sugar-cane occupies only one per cent. of the total cultivable area in India—to be exact 1.2 per cent. If there is an increase of even five lakh acres under cane, it will mean only one to two acres per thousand acres. Can it make any great difference in food production? Apart from this, there are 60 million acres, which remain fallow. The area is good, it is cultivable. In the face of this, increase of half a million acres under sugar-cane is not going to affect appreciably the food production. These are some of the statements which are taken at their face value by the public without being properly analysed. Further why should it be presumed that the increased production of sugar will be on account of increased acreage? It could as well be by better cultivation, proper manuring and by other methods. As is usually the case if the prices are good, people are inclined to use fertilisers, they are inclined to control pests and they are inclined to take other measures to get higher yield. Consequently, the area under sugar-cane need not necessarily increase. In this connection, if Government were to enquire they will find that the quantity of fertilisers purchased by the cultivators during periods of low prices would be small. On account of the low prices of their products, cultivators have no incentive to spend money on fertilisers. That is the experience of agricultural experts.

I have some other very important points to make, but as the time is short, I would skip over them. It has been said that the price of sugar has got to be reduced in order to enable Indian sugar to compete in foreign markets. Here again we must understand why the price of sugar in other countries is low. In Cuba, yield of cane is 62 tons per acre as against 13 tons in India; in Java it is 56 tons. Further, because of superior varities, sugar recovery in other countries is also high. Apart from all that, another factor that contributes to the low

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price of sugar in foreign countries is that they utilise all the waste material of cane for the manufacture of by-products. For instance the sugar-cane leaves and bagasse are used for cardboard, packing materials, insulating materials and so on. Nothing is allowed to be wasted. If there is no by-product industry in India, is the cultivator to be blamed for it? Is it not the Government or the industrial interests which should be held responsible? Why should the lowering of prices be at the expense of the farmer alone? Government is taking something like rupees five per maund as excise duty and cess. Why can it not forego a small portion out of this? Why can the factories not be made to realise the necessity of improving their production methods? There is immense scope for it.

Then again another fraud is committed on the farmer. Government allows only four annas per maund for the molasses that it takes for the manufacture of potable alcohol and power alcohol, whereas the value of sugar in these molasses is of the order of rupees seven to eight per maund.

Shri Kidwai: Not now.

Sardar Lal Singh: These are the figures given in Government statistics. I am prepared to present it to the hon. Minister. This is nothing short of a fraud on the farmer—allowing four annas to the factory for molasses and expecting that sugar should be cheap in India! There is ample scope for the use of power alcohol. For instance, the total quantity of petrol used in India is 240 million gallons. If 20 per cent. alcohol is mixed in the same we shall require a something like 45 million gallons, whereas the total quantity of alcohol that can be produced from all the molasses that we produce here will be of the order of 25 million gallons only. So that you may convert all your molasses into power alcohol and still not be able to meet your internal demand.

Secondly because the price of molasses is so low, the cost of manufacture of alcohol is very low in India. I have not got the latest figures, but the Indian Tariff Board in 1938 had calculated that the price of manufacturing alcohol in India was only six annas as compared to Rs. 2/8 in Italy; Rs. 2/8 in Germany; Rs. 1/8 in Australia and Rs. 0/12/0 even in the United States.

Mr. Chairman: The hon. Member has already taken 20 minutes. After all the discussion is only for two hours. Very many hon. Members want to take part in it. Twenty minutes is the maximum time that can be allowed to the hon. Member.

Sardar Lal Singh: I shall take only two more minutes, Sir.

Mr. Chairman: Then I should have rung the bell earlier.

Sardar Lal Singh: I do not think I have exceeded my time-limit.

Mr. Chairman: This argument between the hon. Member and the Chair will itself take two minutes. I would ask him to finish his arguments within one or two minutes.

Sardar Lal Singh: There are so many important points to be discussed which would have enlightened hon. Members. But I want to say only this. If sugar has got to be cheapened to enable Indian sugar to compete in foreign markets, the reduction could also take place at the expense of Government: that is the Government and the industrial interests should also share in the sacrifice.

Coming now to the price: in 1951 the price of cane was fixed at Rs. 1/12 per maund as against Rs. 30/8 *ex*-factory price of sugar. Before that, the price was rupees two. This incentive had resulted in the highest production of sugar in India in 1951. Instead of making the best use of the happy situation and consolidating the sugar industry, Government thought it fit to kill the goose which lays the golden egg. What has been the result? The consumer has not benefited; the cultivator feels disgusted and the industry has got a severe set-back, with the result, that production of sugar

has gone down and the country has to import this year one lakh tons of sugar.

Shri Kidwai: Two lakhs.

Sardar Lal Singh: The production of one lakh tons of sugar in the country itself will provide employment for a large number of our countrymen, which is an urgent necessity. We should, therefore, not allow Government to import any quantity, especially when we can produce it locally.

There is a danger of the history of 1949 of worst blackmarket being repeated. There are other points which I wanted to discuss, but I am sorry there is no time.

ठा० युगल किशोर सिंह (मुजफ्फरपुर उत्तरपश्चिम) : मैं आप को संक्षेप में शुगर इंडस्ट्री के इतिहास की ओर ले जाना चाहता हूं । जब १९३२ में प्रोटेक्शन दिया गया तो लोगों ने समझा कि शुगर इन्डस्ट्री को प्रोटेक्शन देने का मतलब यह है कि मैनुफैक्चरर्स के साथ साथ जो ग्रोअर्स हैं, जो किसान हैं, जो मजदूर हैं, जो कन्जूमर्स हैं, सब को इस से सुविधा मिलेगी । लेकिन इस के बाद की घटनाओं से पता चला कि जो कुछ सुविधायें दी गईं उस का पूरा फायदा मैनुफैक्चरर लोगों ने लिया और उन लोगों ने जो कुछ रुपया लगाया था, उस का दुगुना, तिगुना कुछ ही सालों के अन्दर उन्होंने कमा लिया । किसानों को लूटा, मजदूरों को लूटा और कन्जूमर्स को लूटा । जब सन् १९३७/३८ में कांग्रेस की सरकार बनी उस समय उस का ध्यान इस ओर गया और भूके किसानों और जनता की आवाज उस के कानों में गई । उस वक्त यह कंट्रोल यानी केन की मिनिमम प्राइस फिक्स करने का निश्चय हुआ । पहले तो किसानों के नाम पर, उन के हितों की रक्षा के खयाल से मिनिमम प्राइस की बात की गई थी किन्तु कुछ ही दिनों के बाद देखा गया कि उस से भी फायदा मिल मालिकों का ही होता था और जैसा पहले हुआ करता था वैसे ही मिल मालिक की ही बात इस में चलने लगी ।

बिहार और यू० पी० चीनी व्यवसाय की ७५ फी सदी चीनी पैदा करते हैं । इस लिये मुनासिब था कि बिहार और यू० पी० में एक कंट्रोल बोर्ड बने । और एक ज्वायंट कंट्रोल बोर्ड बना जिस कंट्रोल बोर्ड के जरिये ईख की कीमत की सिफारिशें भारत सरकार के सामने आती थीं और भारत सरकार उसी के अनुसार फैसला भी किया करती थी । लेकिन लड़ाई के जमाने में जब देखा गया कि मिल मालिकों को इस तरह के दाम से लाभ नहीं हो रहा है तो उन लोगों ने उस समय यह नारा लगाया कि फूड कल्टिवेशन के लिये अधिक जमीन चाहिय इस लिये कुछ जमीन रीलीज की जाय । किसानों को दाम कम दिया जाय । दाम कम देने से लोग ईख की खेती कम करेंगे और फूड के लिये जमीन मिलेगी । लेकिन इस इंडस्ट्री का काम नहीं चला । जब उन लोगों ने देखा कि जमीन इतनी कम हो गई कि शायद शुगर इन्डस्ट्री ही बर्बाद न हो जाय और लोगों को ईख ही न मिले तो कंट्रोल बोर्ड के मिल मालिक ईख के दाम को आगे बढ़ाने की बात करने लगे और उन के प्रभाव से इस का दाम कभी बढ़ता था और कभी घटता था । अब हाल में जनता की सरकार हुई है । अब नया नारा कन्जूमर्स का लग रहा है उपभोक्ताओं के नाम पर दाम कम किया जाय । लेकिन उपभोक्ताओं के नाम पर दाम कम किये जाने में किसानों का ही सैक्रेफाइस होगा । और कन्जूमर्स को भी मदद नहीं होगी । चीनी का जो कास्ट आफ प्रोडक्शन है उस का करीब १६ परसेन्ट सरकार के टैक्स में जाता है । मैं ने अभी आप से अर्ज किया कि मिल मालिकों ने जितना रुपया लगाया है, अगर उन के बैलेन्स शीट का हिसाब देखा जाय तो उन्हों ने उतना रुपया इन्डस्ट्री से ले लिया है फिर भी आज दस परसेन्ट प्राफिट ब्लाक

[ठा० युगल किशोर सिंह]

कैपिटल पर उन को दिया जाता है । मिल मालिक सारे के सारे अपना मुनाफा कर रहे हैं, इस में किसी तरह की कमी सरकार करने नहीं जा रही है । सरकार न चीनी का ही दाम कम करने जा रही है । सरकार भी अपना पूरा टैक्स ले रही है जब चीनी का व्यवसाय शुरू हुआ था तब जितना टैक्स था उस के दुगुने से भी अधिक है, एक्साइज ड्यूटी में और केन सेस में । उस में भी वह कोई कमी करने नहीं जा रही है ।

जहां तक ग्रोअर्स का सवाल है मेरे खयाल में कास्ट आफ प्रोडक्शन का अर्थात् ईख के उत्पादन का जो खर्च है उस का तो हिसाब लगा ही लेना चाहिये । आज तक जो भी दाम लगाया गया है उस में ईख के उत्पादन के खर्च का तो कभी हिसाब नहीं रक्खा गया । मूलतः वह बढ़ती ही गई । केन्द्रीय सरकार की तरफ से कोई नीति इस में नहीं रक्खी गई । कोई भी इस तरह की कोशिश सरकार की तरफ से नहीं हुई है जिस से उस के दाम का ठीक ठीक पता लगाया जाय कि किसानों का कितना खर्च होता है । हमारे सामने सेन्ट्रल शुगरकेन कमेटी की रिपोर्ट है जिस में यह बताया गया है कि बिहार में, जहां से मैं आता हूं, १ रु० सात आने १० पाई फी मन ईख उपजाने में खर्च होता है । जहां एक रुपया साढ़े सात आने मन प्रोडक्शन का खर्च है ईख के उत्पादन में, वहां एक रुपया तीन आने मन किसानों को दाम दिया जाय । यह कहां का न्याय है, यह मैं नहीं समझता ।

अभी कुछ दिन पहले किदवई साहब ने यहां पर इस बात का जिक्र किया था कि किसानों को ईख के दामों में कमी होने के कारण किसी तरह की क्षति नहीं हुई है बल्कि उन को मुनाफा हुआ है । शायद उन्हों ने चीनी के उत्पादन को देख कर ऐसा बयान दिया होगा । लेकिन हमारे यहां प्रति बीघा खेत में किसी तरह से उपज नहीं बढ़ी इस लिये किसानों को फायदा नहीं हुआ । मैं नहीं जानता कि किन आंकड़ों के आधार पर किदवई साहब ने ऐसा बयान दिया है । अगर वे ठीक ढंग से आंकड़ों पर ध्यान देंगे तो पता चलेगा कि उन का बयान सही नहीं है । आज मैं बिहार से आ रहा हूं, एक मीटिंग हुई थी जिस में केन ग्रोअर्स के प्रतिनिधि थे, मिल मालिकों के प्रतिनिधि थे, सरकार के भी प्रतिनिधि थे । मिल मालिकों ने भी इस बात को महसूस किया कि अगर इस इन्डस्ट्री को जिन्दा रहना है तो पहले जिस तरह एक रुपया पांच आने और तीन आने का हिसाब लगाया गया था उस तरह का हिसाब रखने से चीनी का व्यवसाय नहीं चल सकता है । सरकार ने भी इस बात को महसूस किया । वहां के जो इन्डस्ट्री के मिनिस्टर हैं उन्होंने भी अपने वक्तव्य में इसी प्रकार की जोश में बातें कहीं । हमारे ग्रोअर लोग और वहां के एम० एल० ए० थे । मुझे अगर इजाजत हो तो मैं कहना चाहता हूं कि वहां के एम० एल० ए० लोगों ने कहा, जिस तरह से पाकिस्तान में जिहाद की बोली बोली जाती है, कि यूनियन ने हमारे ऊपर जिहाद किया है, यूनियन से हमारा कोई सम्बन्ध नहीं होना चाहिये । मैं इस को भद्दी बात समझता हूं लेकिन मैं दूसरे पहलू से गौर करना चाहता हूं । जो लोग बोलने वाले थे मेरे दल के नहीं थे, आप के दल के थे, जबाबदेह लोग थे उन्हीं लोगों ने इस बात को कहा । इस लिये इस बात को गम्भीरतापूर्वक सोचने की आवश्यकता है । जो लोग आर्गेनाइजेशनली आप के साथ हैं, कान्स्टिट्यूशनली आप के साथ हैं, वहां के जो अत्यन्त जबाबदेह लोग हैं, वे इस प्रकार की बात को कहते हैं तो समझना चाहिये कि बहुत गम्भीर समस्या उपस्थित हो गई है और इस पर गौर करने की जरूरत है । वहां बाढ़ आई हुई है । इस साल जो ईख की उपज थी

उस में हम बाढ़ से पहले करीब पांच करोड़ मन की उम्मीद करते थे, लेकिन बाढ़ के आने के बाद अब हम सिर्फ चार करोड़ मन की ही उम्मीद करते हैं। चार करोड़ मन से अधिक नहीं होगी। ईख भी पिछले साल से इस साल कम होगी। इस लिये किसानों को बहुत कम रुपये मिलेंगे। अभी तक जो रिसर्च हुई है उस के बाद में यह कह देना चाहता हूं कि रिसर्च के बारे में क्वालिटी और क्वान्टिटी दोनों का ही हिसाब होना चाहिये। मिल मालिक तो सिर्फ ज्यादा चाहते हैं कि वजन तो कम रहे और रस ज्यादा हो। लेकिन किसान चाहते हैं कि उस में रस भी ज्यादा निकले और वजन भी ज्यादा हो। इस साल वजन कम होने की उम्मीद है। इस लिये इस को भी ध्यान में रखना चाहिये। किसानों की मदद खत्म हो गई है, धान की फसल भी बरबाद हो गई। जितनी नदियां थीं सब में बाढ़ आयी है और सब कुछ किसानों का बर्बाद हो गया है। यही ईख एक जरिया है जिस के जरिये हम उन को जिन्दा रख सकते हैं।

पिछले जमाने में बिहार और यू० पी० के लिए अलग अलग प्राइस रखी गयी थी। यह नयी बात नहीं है। यदि आप सभी का दाम नहीं बढ़ा सकते हैं तो बिहार के लिए और खासकर उस एरिया के लिए जहां पर बाढ़ आयी है कम से कम दो रुपया मन के हिसाब से दाम रखें। शायद आप चीनी का दाम ३० रुपये के हिसाब से रखने जा रहे हैं और बाहर से जो चीनी मंगा रहे हैं उस का भी यही दाम होगा। ऐसी दशा में एक रुपया १२ आने से कम तो ईख का भाव हो ही नहीं सकता। इस से यदि आप कम रखते हैं तो मैं समझता हूं आप इंडस्ट्री के लिए मौत की घंटी बजा रहे हैं।

Shri H. N. Mukerjee (Calcutta North East): It is good that we have an opportunity of discussing the question of sugar and sugar-cane prices, for, we do not know where the cherubic self-satisfaction of our Food Minister is going to land us.

Shri Kidwai: To plenty.

Shri H. N. Mukerjee: The other day, he told a Bombay audience that for all practical purposes our food problem had been solved.

Shri S. S. More (Sholapur): So far as he is concerned.

Shri H. N. Mukerjee: That was a preposterous statement. In any case, if that is so, sugar will be as dust in the balance and we shall be asked not to have a moment's worry on that account. In these days, the ideas of the Food Minister and his doings remind me of what Clemenceau once told an English diplomatist about the difference between an accident and a disaster. Clemenceau said that if President Wilson fell into a well, well, it would be an accident but if he got out of it, it would be a disaster. From the way the Food Minister goes on these days, I am tempted to say that when we see Mr. Kidwai admitting to have fallen into a pit of economic difficulty, it is a sort of an accident, a deviation from routine; but when he proclaims from the housetops his triumphant emergence into victory, then, more likely than not, it is going to be a disaster.

The story of sugar, the second biggest industry in our country as far as indigenous investment is concerned, is very bitter and very unsavoury. Supremely callous to the interests of the consumers and the cultivators, who number some 25 million, the sugar barons have, with Government assistance at every step of the sordid story,.....

Shri Kidwai: I agree.

Shri H. N. Mukerjee .....specialised in a sort of unashamed racketeering. I am happy that the Food Minister agrees. It is necessary for the Food Minister to recall something of the

[Shri H. N. Mukerjee]

past. I will not go deep into the past because I have not got the time for that.

Shri Kidwai: I know something of it.

Shri H. N. Mukerjee: With de-control in 1947, this House ought to be reminded that the sugar interests pushed up the prices from Rs. 20-14-0 to Rs. 35 per maund despite the general assurance that the prices would not rise appreciably. They made a clean sweep and they netted out of the consumers literally tens of crores of rupees. Later, under pressure they agreed that the price of Rs. 28-8-0 should not be exceeded. But, once again, they did not make good their undertaking.

The Tariff Board examined this question later and said that these gentlemen were deliberately launching upon a policy of creating a psychology of scarcity in the market and the public was made to pass through a crisis of scarcity even when, by all available accounts, the supply in the country was adequate to meet the requirements of consumption. In spite of this very instructive history and in spite of the 1950 Enquiry Committee presided over by Mr. Justice Ganganath, which asked the Government "to consider whether any action should be taken"—I am quoting its words—against the non-co-operating and prevaricating sugar interests, in spite of all that history, Government went out of its way, at the end of the last season, to give the most favoured treatment to these notable benefactors of the human species in this country. The result of it was that the small cultivator and the manufacturer of *gur* suffered considerably. Government gave up control on prices in the future and at the same time reduced the price to be paid to the cultivator by as much as 25 per cent: from Rs. 1-12-0 to Rs. 1-5-0.

Shri Kidwai: How did it affect the *gur* producer?

Shri H. N. Mukerjee: It affected the cultivator, no doubt, and it did not benefit the consumer. The only people therefore who netted whatever advantage came out of the transaction were the people who are so unsavoury and whose record I have already referred to.

Production during the current year has been a little over 13 lakh tons, so that, together with the carry over, the total available was nearly 18 lakh tons. A little over nine lakh tons has been despatched from the factories up to May, as against about 670,000 tons last year. The amount still lying with the factories would be about nine lakh tons. Considerable supplies would also appear to have been spread throughout the country. Yet, the Government says that the price of sugar has shown a rising trend in the past few weeks. The prices are reported to have gone up to Rs. 32 per maund and they say that an ex-factory price which would be fair to the producer would be something like Rs. 27 per maund. This is what the Government point out. Obviously the benevolent sugar interests are once again busily engaged, as the Tariff Board said, in creating a psychology of scarcity in the country. Despite much public feeling, they do not seem to have been disturbed, in spite of the proclamations from time to time by the Food Minister.

Government has talked about taking firm action against profiteering and so on; but it does nothing worth while. I say that Government has been made to look intensely foolish. In a fit of insanity or very probably in a spirit of mischief, it has pitched upon this decision to import, the import of a commodity on which it has already reduced the existing duty to half. Normally, these imports are not necessitated by the stock position. The country does not need sugar from abroad. Though there is enough and

to spare to meet the present requirements, the much-needed foreign exchange about which the Finance Minister has to worry his heart out, seems to be thrown away on this commodity. There can scarcely be a better way of advertising the Government's pathetic importance when it is faced by the powerful sugar interests in this country.

In regard to this question of imports and punishing the recalcitrant sugar interests, Government roars like a lion at one time and bleats like a lamb at another. On the 10th of May, this year, we saw in the *Statesman* a report of the Government letter warning the sugar interests. Government warns the sugar industry that if prices continue to be higher and if that sort of thing goes on, Government would be constrained to take such steps as it might deem necessary to maintain them at a reasonable level. The Government asked the Sugar Mills Association of Calcutta to furnish information in regard to whatever action they proposed to take before 12th May, 1953. They said also that the present rise in prices was to be attributed mainly to speculative activity and an all-round hoarding tendency. This was said in the Government of India's letter. Now, we find from the *Free Press Journal* of 18th August that the Food Minister has changed his tune and says that India has to import at least one lakh tons of sugar not because of hoarding and the delebrate increase of prices, but because of the increased consumption of sugar by the people and the resultant shortage. This is most amazing. One day Government says that on account of hoarding and anti-social practices of these profiteers, this thing has happened. The other day, the Government comes down and says that the people are eating too much sugar and that is why this kind of thing has got to be done. If the Government was self-respecting and self-reliant, it would have made the sugar interests understand that it could not be played with. It would have set up its own control of stocks everywhere and sold them to the distributors at a proper rate. On the other hand, in regard to imports, Government has now said that we are going to distribute these imports through our own agencies. At the same time, Government says, after having supplied the State Governments for distribution through ration shops and co-operative societies, Government would allow private merchants to take charge of a large share of these imports. This is an attitude which has got to be put an end to. Government ought to come forward and say that today it is very necessary and desirable to requisition all stocks and fix a statutory price and that sugar would not be imported.

If sugar is imported, the impost on our indigenous sugar ought not to be as high as it is. Today, the position is, the import duty on sugar comes to Rs. 5-2-0 per maund or Rs. seven per cwt., while the impost on home-made sugar is Rs. 5-10 per maund. We talk of buying *swadeshi*; at the same time, we are doing this kind of thing. We forget the cultivator altogether. We say that the cultivator should have higher prices fixed for his sugar-cane; we say that the consumer should be protected; we say that statutory restrictions ought to be placed upon the doings of these sugar industrialists and we say that efforts ought to be made to keep our economy going properly. What I fear is that our Food Minister has a kind of superb indifference to whatever is happening around us, and he is impervious to whatever does not suit his fancy. He delights in such Gilbertian situations as when he says food is plentiful while people are starving and stark, sheer starvation is stalking the land.

My time is up and I had so much other material which I could place before the House, but I cannot resist the temptation of ending my very small contribution to the debate this morning with a limerick which some of you might know, which seems to

[Shri H. N. Mukerjee]

fit the Food Minister to the "t", absolutely perfectly. The limerick says:

"A wonderful bird is the Pelican,

His mouth holds more than his belly can,

He takes in his beak, enough food for a week.

But I am damned if I know how the hell he can".

श्री झुनझुनवाला (भागलपुर मध्य) : यह विषय इतने महत्व का है कि इस पर दस या पन्द्रह मिनट में कोई भी बात अच्छी तरह से नहीं कही जा सकती है, और सब बातें कहने पर भी कुछ न कुछ गलत फ़हमी रह जाती है। तो भी जो भी समय थोड़ा बहुत है उस में जहां तक हो सकेगा मैं कहूंगा। आरम्भ में मैं यह कह देना चाहता हूं कि यदि आप ईख की कीमत इस दृष्टि से रखें कि इस में जो चीनी के दाम हैं उस में से कितना गवर्नमेंट ले जाती है, कितना मैनुफैक्चरर ले जाता है और कितना वेस्ट हो जाता है, इस तरह से कि जैसे कि मालासैज में जो हम पावर एलकोहल तैयार करते हैं वह हम नहीं बना सकते, और जो कई दूसरी चीजें हम बना सकते हैं वह नहीं बनाते, यह सब चीजें दृष्टि में रखी जायें तब तो मैं जरूर कहूंगा कि जो मैन्यूफैक्चरर है, उन के विषय में हमारी सरकार की यह नीति रही है कि हमारे किसान भाई चाहे दिक्कत में पड़ जायें चाहे उन को कुछ भी पैसा मिले, यदि मैन्यूफैक्चरर को किसी भी तरह किसी भी समय में दिक्कत आई है तो कोई न कोई उपाय कर के उन के घर में पहुंचा देती है कुछ तो उस को कम्पैनसेट कर देते हैं और हमारी सरकार ने उन को खुश रखने की बराबर चेष्टा की है। इस चेष्टा के अलावा यह भी उनको सरकार की नीति रही है कि जितना भी पैसा किसान का हित दिखला कर हम इस चीनी के ऊपर ले सकें उतना पैसा लें। सन १९३३ में में यह शुगर कंट्रोल जारी हुआ। उस समय में हम लोगों को प्रोटैक्शन मिला।

श्री किशवई : यह हम लोग कौन हैं ?

श्री झुनझुनवाला : मैन्यूफैक्चरर को समझ लें, आप किसानों को समझ लें, कनज्यूमर्स को समझ लें, सब लोगों को, सब को प्रोटैक्शन मिला, और आप को सब से अधिक। मैं अभी बतलाऊंगा कि आप को सब से अधिक किस तरह से मिला है। परन्तु गवर्नमेंट को जरूर इस में से मिला है, यह मैं अभी बतलाऊंगा। जब शुरू शुरू में सैस लगाया गया तो पहले तो यह हुआ कि हम ने प्रोटैक्शन दे दिया। प्रोटैक्शन देते हैं, इसलिये अब शुगर इंडस्ट्री यहां पर अच्छी तरह से कायम हो, फिर तुरन्त ही सरकार ने छः महीने के अन्दर ही एक्साइज ड्यूटी लगादी। एक्साइज ड्यूटी लगाते समय उन्हों ने क्या कहा ? उन्हों ने कहा कि हम इस में से कुछ हिस्सा ऐसा रखेंगे जिस से कि ग्रोअर लोगों को फ़ायदा हो और जो उन की ईख है उस को वे कम भाव में पैदा कर सकें। अर्थात् एक बीघा में अगर उन की उपज २५० मन पैदा होती है तो अच्छी तरह से मैन्योरिंग वग़ैरह कर के उस में से ६००, ७०० मन पैदा हो सकती है और कम दामों में हो सकती है। तो मेरे कहने का मतलब यह है कि उन्हों ने यह कह कर वह रुपया लिया।

१२ मध्याह्न

उस के बाद उन्हों ने एक पैसा सैस लगाया। यह यू० पी० गवर्नमेंट ने और बिहार गवर्नमेंट ने लगाया। वह सैस केन के ऊपर यह कह कर लगाया कि यह जो पैसा है यह तुरन्त ही बिल्कुल किसानों के हाथ में चला जायगा। अब देखिये कि वह जो एक्साइज ड्यूटी है वह क़रीब ५ रुपये की मन हो गयी और जो सैस है वह एक पैसे से साढ़े तीन

आने हो गया, यह अब तीन आने साढ़े तीन आने हो गया है। अब हमारे किदवई साहब क्या कहते हैं कि अभी जो सैस दिया जा चुका है वह तो दिया जा चुका, समूची शुगर पर दिया जा चुका। अब मेरी उन से बातचीत नहीं हुई है, लेकिन मैं ने सुना है कि उन का यह कहना है कि यह ग्रोअर्स से ले लिया जाय, यह जो तीन आने पैसे का सैस है वह ग्रोअर से ले लिया जाय। अब शुगर केन प्राइस तो रख दी एक रुपया या डेढ़ रुपया, लेकिन तीन आने पैसे : कहते हैं उस में से दे दो। हम कहते हैं कि आप जो कोई भी काम करते हैं तो उस में यह इस तरह की एक दृष्टि रख कर जो पैसा किसानों से, कनज्यूमर्स से, सबों से लेते हैं, वह पैसा आप क्यों खा जाते हैं जिस से कि आज हमारी यह दशा हुई कि हम को शुगर बाहर से इम्पोर्ट करनी पड़ती है। आज इस को बीस वर्ष हो गये। क्यों नहीं बीस वर्ष में भी आज हम इस को इस तरह से पैदा नहीं कर सकते हैं कि हम जो बाहर से चीनी आई हुई है उस के मुकाबले में दामों में मुकाबला कर सकें। मैं कहता हूं कि यदि गर्नमेंट आज सही रास्ते पर काम करती, इंडस्ट्रियलिस्ट्स करते और ग्रोअर्स करते, तो आज यह दशा नहीं होती।

श्री किदवई : हम लोग नहीं करते।

श्री झुनझुनवाला : मैं आप के बारे में किदवई साहब को नहीं कहता, मैं गवर्नमेंट को कहता हूं। किदवई साहब के पास तो कई प्रकार के महकमे हैं। मैं इस खास महकमे के बारे में कहता हूं कि जो पैसा लिया जाता है वह कैसे खर्च होता है। यदि अच्छी तरह से उपाय किया जाता तो आज हमारी यह दशा नहीं होती कि हम को चीनी बाहर से मंगानी पड़ती।

अब समय कम रह गया है। हम को एक बात बहुत जल्दी से कह देनी है। मैं यह नहीं चाहता कि केन की प्राइस बढ़े। मैं यह चाहता हूं कि केन की प्राइस और ढंग से बढ़े, पर इस साल ऐसा नहीं हो सकता है और तुरन्त ही यदि आप ऐसा करेंगे तो इस में बड़ी भारी दिक्कत हो जायगी। (हंसी) कृपा कर के आप हंसिये मत। इस को जरा गम्भीरता से सोचिये। यह बड़ा भारी प्रश्न है। मैं जब कहता हूं कि केन की प्राइस न बढ़े तो मेरे कहने का मतलब यह है कि यदि हम केन एक बीघे में ६०० मन पैदा कर के यदि ग्रोअर को १।। रुपये से भी दें तो ९०० रुपये दे सकते हैं। लेकिन अगर ३०० मन पैदा कर के हम दो रुपये फी मन से दें तो ६०० रु० हुए यह हमारी समझ में गलत है। यह चीज ठीक नहीं है। ६०० मन पैदा करने की जो सुभीते आवश्यक हों वे देने चाहियें।

अब मैं इस साल के लिये खास कर के बिहार के वास्ते यह बात कहूंगा कि बिहार में इस बार बहुत तरह की आफतें आई हैं और जो भी कुछ खेती की गयी थी वह खेती हमारी बह गयी। उस के बह जाने की वजह से, जैसा हमारे किदवई साहब ने कहा, मैन्युफैक्चररों को गत वर्ष छः करोड़ रुपया हम लोगों से, कनज्यूमर्स से, यह कह कर कि हम कनज्यूमर्स का फ़ायदा करते हैं, उन को दे दिया। उसी तरह से वह कोई ऐसा उपाय निकालें जिस से कि वहां के किसान मुसीबत में न पड़ें। मैं भी उपाय बतला सकता हूं, लेकिन समय नहीं है। तो कोई भी उपाय वह निकालें, जिस से कि खास कर के जो हमारे बिहार के ग्रोअर्स हैं, उन को एक रुपया दस आना प्राइस मिले। आप यह कह सकते हैं कि यह डिसटिंकशन कैसे किया जा सकता है। कैसे एक रुपया दस आना बिहार को मिल सकता है और दूसरे को कैसे कम मिल सकता है, तो मैं बतलाऊंगा कि उन्हों ने चीनी के भी दाम बहुत बार इस किस्म से तय किये हैं, ३१ रुपये और ३३ रुपये रखे हैं। कहीं पर ३१ रुपये रखा है और कहीं पर ३३ रुपये रखा है। कहीं पर उन्हों ने ३५ रुपये

[श्री झुनझुनवाला]

भी रखा है। तो इस चीज़ पर दृष्टि रखते हुए भी आप किसानों को नहीं बांटना चाहते हैं। यदि आप यह चाहते हैं कि कैन उपजे तो उन को इस साल तो ठीक दाम दें। अगले साल के लिये मैं हमारे लाल सिंह जी साहब से भी यह कहूंगा कि गवर्नमेंट ले जाती है या कौन ले जाती है, इस के साथ यह देखें कि किसान कितना पैदा करते हैं। बस, मैं और अधिक न कह कर इतना ही कहना चाहता हूं कि सरदार लालसिंह का यह तर्क कि जब कि केन की बेसिक प्राइस एक रुपये चार आने मन थी, तब प्रोडक्शन आफ शुगर कम था, लेकिन जब ईख के दाम दो रुपये प्रति मन कर दिये, तो चीनी का प्रोडक्शन बढ़ गया, मैं इस से सहमत नहीं हूं और जो आंकड़े उन्हों ने दिये हैं उसी से उन का कहना गलत सिद्ध होता है। जब किसान ने १। रुपये मन की उम्मीद कर ऊख बोई तो प्रोडक्शन बड़ी और उन्हों ने २ रुपये के दाम की उम्मीद पर बोई तो कम हुआ यह श्री लाल सिंह जी के कथन से सिद्ध होता है। १९४६–४७ में ८.२ लाख टन हुई फिर १।) रु० ईख के दाम पर बोने से १९४७–४८ में १०.७ लाख टन हुई फिर २) रुपये ईख के दाम पर १० लाख टन हुई और १।।) के दाम पर बोने से १९५१–५२ में १४.८ लाख टन हुई।

Prof. S. N. Mishra (Darbhanga North): May I suggest that at this stage we should have the pleasure of listening to the hon. Food Minister, so that we may seek clarifications from him on the points that may arise from the speech, because the issue is getting confused?

Mr. Chairman: The difficulty will be to see who is going to avail of the chance to speak last. Many hon. Members want to take part, and it may happen that their objections may not be answered if the hon. Minister speaks in the middle of the discussion. So it is always discreet to hear the hon. Minister last of all. If the hon. Minister wants that some part of the time may be taken away by one of the other hon. Ministers, then the difficulty may be avoided.

Prof. S. N. Mishra: But what about the trio?

Mr. Chairman: If more than one hon. Minister wants to participate, I have no objection.

Shri B. S. Murthy (Eluru): One Minister can speak now, and the other can speak later.

Mr. Chairman: Does the hon. Minister want to speak now?

Shri Kidwai: No.

Mr. Chairman: I cannot force an hon. Minister to speak. If he does not choose to speak, it is not right on my part to ask him to speak. The hon. Minister says he is a sugar expert himself and so he wants to have the entire time to himself. So, let us proceed with the debate.

Shri Tulsidas (Mehsana West): I am sorry I was not in the House when the discussion started. I would like to remind the House that when the question of sugar excise duty was being discussed in this House, I made certain points, which I want to stress now, for they are particularly essential in the larger interests not only of the industrialists, but also of the cultivators.

An Hon. Member: What about consumers?

Shri Tulsidas: I would like to point out that unless the sugar industry as a whole is stabilised in the country, it is not possible to pay to the cultivator an economic price which would be considered as a fair price. I pointed out last time that the policy of our Government up till now has been to vary the price of sugar-cane from year to year. In one year, the prices of sugar-cane are put up, and the production of sugar-cane goes up. But the next year, the poor farmer is placed in a miserable position, because of the fact that the price of sugar

comes down, as also that of *gur*, and sugar-cane, even if its price is lower, is not released. Thus the sugar-cane grower is not able to get a fair deal.

Of the total quantity of sugar-cane, only 20 per cent. is given to the industry; nearly 80 per cent. is marketed for the production of *gur* or *khandsari*, or something like that. In Uttar Pradesh, the total production of sugar-cane was 58 million tons. Out of the sugar-cane consumed by the industries, for white sugar it is about 26 per cent. This was the figure in 1951-52. In the previous year, it was 19·61 per cent. Of this 26 per cent., Uttar Pradesh consumes about 15 per cent. I want to point out, the sugar-cane price received by the farmer must be based not merely on the sugar prices, but also on *gur* prices and *Khandsari* prices. I fully appreciate the point of view that the cultivator must have some stability in regard to sugar-cane production. It is so not only in the case of sugar-cane, but in the case of other commodities as well. Unless our agricultural economy is stabilised, and the cultivator is given a fair price, for a long number of years, in respect of each commodity, he will be at the mercy of others. Otherwise, if he produces more, he will get a lower price; or, if he produces less, the price will go up, with the result that he will produce more next year, to get a low price again. This is the case with almost every agriculturist in the country. I appeal to the hon. Minister, that he being a person from agriculture, he should see to it that the cultivators must have stability over a long number of years. Unless that is done, it will not be possible to maintain our agricultural economy in proper shape.

There is one other point which I would like to point out. Last year we had a stock of three to four lakhs of tons, and we had a very large carry-over. I had then appealed to the Government not to fritter away this stock, but to keep it as a buffer stock, so that whenever the prices go up they can come out with this stock, and sell it in the market. When I said this last time, I was rather ridiculed, and I was told what are you going to do with this stock, if you are not going to export this stock. The position is this. If we were to export that sugar, we would have had to import a very much larger quantity of sugar from outside, as we are doing now.

So far as *gur* is concerned, the production of *gur* has gone down. In 1951-52, the area under cultivation was five million acres. In 1952-53, it has come down to 4·2 million acres. The result was that the price of sugar went up, and the *gur* price also went up along with it. This has been the position, and the cultivator had no stability of economy at all. I would request the hon. Minister to see that the cultivators are given a fair price, which will ensure for them an economic living.

I now come to the question of sugar, in respect of which I have to urge the same point again. This year, we are importing sugar. What is going to happen next year? The area under cultivation has been reduced further by nearly 25 per cent. and the prices therefore, will go up. The year after the next, the production will go up, the area under cultivation would go up, but the prices will be so less, that in 1954-55, the farmers will not be able to sell their products, even at the economic price. This will again result in lower production. Is all this fair to the cultivator? Even for the next year, I would request the hon. Minister, in the interests of increased production, to see that a minimum economic price is paid to the cultivator.

Now what does the price of sugar consist of? Sixty per cent. is sugar-cane price; 18 per cent. is the tax; ten per cent. is the manufacturing cost, while five or seven per cent. is the distribution cost. If that be so, what is the price that will have to be paid to sugar?

[Shri Tulsidas]

When I spoke last time, I was given the balance-sheet of the Deccan Sugar Factory, showing the porfits of the factory. In the south, the production of sugar-cane is about 45 tons on an average per acre. In Uttar Pradesh and Bihar, the farmer produces about 15 to 20 tons on an average. if we could create conditions whereby the farmers can be given an incentive to produce more, we will benefit to that extent. Otherwise, what happens is this. If the State Government takes about three annas per maund of cane, it comes to nearly rupees two per maund of sugar.

Nothing has been done for the development of the Sugar-cane product. The recovery has gone down; the quality has not improved and the farmer is not benefited. So I would request the hon. Minister to go into this problem and I would be one with him in this repect. The economy of the agriculturist as well as the consumer should be stabilised.

An Hon. Member: What about the prices?

Shri Tulsidas: I am not discussing prices here. My point is only about economic stability.

Mr. Chairman: I find that many hon. Members are anxious to speak. May I request the hon. Members to limit their speeches to five minutes, otherwise, it will be difficult to allow many Members to speak.

डा० राम सुभग सिंह (शाहबाद दक्षिण): अभी मुझे कई एक साथियों से ईख का इतिहास सुनने का मौका मिला और मुझे बड़ी खुशी है कि किसी न किसी रूप में प्राय: सभी लोगों ने, एक आध आदमियों को छोड़ कर, इस बात को स्वीकार किया कि ईख की कीमत बढ़ाई जानी चाहिये। यह भी चर्चा की गई कि बीस वर्षों से फैक्ट्रीज को गवर्नमेन्ट की ओर से प्रोटेक्शन दिया जाता रहा है। लेकिन तो भी फैक्ट्रीज आज तक उस कीमत पर चीनी नहीं पैदा कर सकीं जिस कीमत पर कि बाहर से चीनी आती है। बाहर से जो चीनी आती है उस का दाम यहां पहुंचने पर करीब १६ या २० रुपया मन पड़ता है। लेकिन यहां पर जो चीनी तैयार की जाती है उस का दाम ३५ रु० तक है और दो चार वर्ष पहले तो ७० रु० तक चार्ज किया जाता था। लेकिन चाहे मिल मालिक हों चाहे सरकार हो, दोनों से जो गल्तियां हुई हैं उन सभी गल्तियों का बोझ किसानों को उठाना पड़ा है। पिछले साल जिस वक्त शुगर केन के दाम में २५ प्रतिशत की कमी की गई उस वक्त सरकार की ओर से और मिल मालिकों की ओर से यह जोरों से कहा गया था कि चीनी बहुत ज्यादा मात्रा में है हिन्दुस्तान में और इतनी ज्यादा हो गई है कि इस की खपत नहीं होने पाती और हम लोग चाहते हैं कि सस्ती चीनी बाहर भेजें और उस वक्त यह तय हुआ कि २००,००० टन चीनी, ५० हजार टन गुड़ और १० हजार टन खंडसारी बाहर भेजी जायेगी और बाहर भेजने के नाम पर किसानों का गला काटा गया, और १ रु० १२ आ० से १ रु० ५ आ० उस की ईख की कीमत कर दी गई।

१६५२ के अक्तूबर नवम्बर में यह बिल आया कि प्रति मन १ रु० का सेस ले कर मिल मालिकों की क्षति की पूर्ति की जाय। पर उस वक्त यह ध्यान नहीं रहा कि अगर हम २५ फी सदी ईख की कीमत में कमी करते हैं तो उसी हिसाब से चीनी की कीमत में भी कमी करें। लेकिन किसान की क्षति की तरफ सरकार ने कोई ध्यान नहीं दिया। मिल मालिकों ने भी, जो यहां हैं उन लोगों ने भी, ईख का दाम कम करने का ही समर्थन किया। पर जब एक्सपोर्ट करने की बात आई तो नवम्बर में कहा गया कि अगर बाहर भेजना है तो ज्यादा से ज्य ५० हजार टन चीनी हम लोग बाहर भेज सकते हैं। लेकिन दिसम्बर में जब चीनी

बाहर भेजने की बात आई तो कहा गया कि हम ज्यादा से ज्यादा सिर्फ १५ हजार टन चीनी बाहर भेज सकते हैं और उतनी ही भेजी गयी पाकिस्तान वगैरह देशों को। इस प्रकार जो बात उन्हों ने नवम्बर में कही, गवर्नमेन्ट ने भी और मिल मालिकों ने भी, उसे दिसम्बर में नहीं माना गया। और जनवरी १९५३ में सरकार तथा मिलमालिकों ने एलान किया कि हमारे पास बाहर भेजने के लिये न गुड़ है, न खंडसारी है और न चीनी है। उसी समय यहां पर चीनी का मूल्य ज्यादा से ज्यादा बढ़ने लगा और यह भी नौबत आ गई कि चीनी मिलनी कठिन हो गई। हालत इतनी खराब होती गयी कि हाल में मंत्री महोदय ने कहा कोल्हापुर आदि जगहों में चीनी को कौन कहे गुड़ भी मिलना मुहाल हो गया है और उस का दाम ३२ रुपये से ज्यादा हो गया है। इसलिये मैं देखता हूं कि हमारे किदवई साहब की नीति इस मामले में मिल मालिकों की चालबाजियों के चलते नाकामयाब हुई। मैं मानता हूं कि वह ज्यादा से ज्यादा कठिन समस्या को हल कर सकते हैं, लेकिन जब इस मामले में उन की नीति को मैं देखता हूं, जिस नीति को उन्हों ने बताया था, १९५२ के अक्तूबर नवम्बर में, तो यह कहना पड़ता है कि वह नीति गलत हो गई। दिसम्बर में जहां बाहर भेजने का सवाल था वहां अब बाहर भेजने की तो बात रही नहीं, उन को उल्टे बाहर से मंगाने की नीति अख्त्यार करनी पड़ी और आज यहां एलान किया जा चुका है कि हम कम से कम २ लाख टन चीनी बाहर से मंगायेंगे। ऐसी हालत में उचित तो यह होता कि किसानों तथा मिल मालिकों को इस के लिए तैयार किया जाय कि बाहर से आने वाली चीनी के मूल्य के ही मूल्य की चीनी हम यहां भी तैयार करें। अन्यथा यह साफ एलान कर दें कि हम मिलों को अब कोई प्रोटेक्शन नहीं देंगे। यह हमेशा सरकार की नीति रही है कि मिल मालिकों से मिल कर के किसानों का दाम घटावें और मिल मालिकों को प्रोटेक्शन दें। किसान ईख पैदा करते रह गये और चीनी मिलती है भारत के बाहर या बड़े बड़े अफसरों को। वह किसानों के लिये नहीं है।

ऐसी स्थिति में मैं यह कहूंगा कि अगर आप १ रु० ५ आ० मन ईख का दाम रखना चाहते हैं तो उसी अनुपात में चीनी का दाम भी रखिये १९ या २० रु० मन के हिसाब से। अगर आप इस में सफल नहीं होते हैं तो आप किसानों को उन की किस्मत पर छोड़ दीजिये और मिल मालिकों को उन की किस्मत पर। मिल मालिकों को तनिक भी प्रोटेक्शन मत दीजिये। । चाहे चीनी का उत्पादन हो या न हो। अगर आप इस पालिसी को भी अख्त्यार नहीं कर सकते तो तीसरी चीज यह है कि सब कुछ नेशनलाइज कर दीजिये और खुद चीनी की फैक्टरीज चलाइये। इस तरह से अगर कोई प्रोग्राम गवर्नमेन्ट रक्खे तो मैं समझता हूं कि गवर्नमेंट की तारीफ खूब होगी और इस समस्या का भी इलाज हो जायगा। मिल मालिक जब तक वह कन्टिन्यू करेंगे तब तक ट्रबल क्रिएट करते रहेंगे। उन को ईमानदारी से किदवई साहब का समर्थन करना चाहिये था क्योंकि किदवई साहब ने तो उन के हक की बात कही थी, किसानों को घाटा रहा लेकिन मिल मालिकों को नफा रहा। लेकिन तब भी उन लोगों ने किदवई साहब को धोखा दिया। और उचित मूल्य पर चीनी उपलब्ध नहीं होने दिया। कहते हैं कि गत वर्ष १८ लाख टन चीनी पैदा हुई। आखिर यह १८ लाख टन चीनी कहां गई? किसी किसान के घर में जो पहले गुड़ खाता था, चीनी नहीं मिलती है। जो उस की हालत पहले थी वही अब भी है। इस प्रकार से यदि गवर्नमेन्ट अपनी नीति अख्त्यार करे, जिस प्रकार से मैं ने बताया है तो बहुत अच्छा

[डा० राम सुभग सिंह]

होगा और ईख तथा चीनी के मूल्य की समस्या हल हो जायेगी।

Shri Sarangadhar Das (Dhenkanal—West Cuttack): It seems to me as if sugar is hardy annual in this House and the industry is completely a racket. Starting from 1947 the consumers and the cane growers have been fleeced by this industry and, strange to say, that it seems to be the pet son of this Government.

An. Hon. Member: Step son!

Shri Sarangadhar Das: No. Pet son. (*Interruption*)

The time allotted to me is very little. I wish to point out that there is a dispute about the price of sugar-cane or sugar. You take the cost of sugar-cane into consideration before you fix the price of sugar so that it will be profitable for the industry. Why do you not similarly find out the cost of raising sugar-cane and then fix the price giving a small margin to the grower—a margin that would be commensurate with the margin that is given to the industry? But you do not do that. All the time you fix a price arbitrarily according to the dictates of the sugar industry.

In this connection I wish to point out that I am rather surprised that all the Members who spoke before me did not go to the root of the matter. Unless the yield of sugar- cane is maintained at 45—50 tons per acre...

Shri Kidwai: Maintained as it is today!

Shri Sarangadhar Das: In U.P. and Bihar the average is no more than 15 tons per acre while in the south it is 40—45 tons per acre. Unless you raise the yield of sugar-cane per acre you can never lower the price of sugar nor the price of sugar-cane.

As it is now, according to my calculations, the price of sugar-cane should be Rs. 1-12-0 a maund and not Rs. 1-5-0. And, in order to do that, it is necessary that the Government should go into the growing of sugar-cane, the climatic conditions necessary and all that, so that they can have a scientific basis for growing of cane and the manufacture of sugar. I say, scientific, particularly because our Prime Minister in everything nowadays says "scientific, scientific," and this sugar industry is the most unscientific thing in the world.

Hon. Members: In India.

Shri Sarangadhar Das: In no other country is the basis so unscientific. The yield of sugar-cane, the main raw material necessary for the industry, is only 15 tons per acre. You can never adjust the thing so that you will be just and fair to the grower and to the consumer as well. It is impossible. So, a scientific study of the sugar industry beginning from agriculture to marketing and the utilization of bye-products is very necessary.

In this connection, I want to say what kind of racket it is in this industry, and how the Government and particularly this Minister of Food and Agriculture patronize this racket. In Deoria District of Uttar Pradesh, there are 13 sugar factories which owe the cane-grower and the working men in the mill who have worked during the seasons, Rs. 60 lakhs. Out of these 13 factories.....

Shri Kidwai: May I know how I am concerned with this?

Shri Sarangadhar Das: You are concerned.

Shri Kidwai: No.

Shri Sarangadhar Das: Pardon me—you ask me a direct question. One of these factories is the Jagdish Sugar Factory at Kathkuian; another is Pandrauna; Ramkola is another; another is Lakshmiganj; another is Khadda; and the last one is Captainganj. And there are still seven more, but I cannot give the names now. Regarding particularly Kathkuian—the Government of Uttar Pradesh has given the control to the

same managing director who had mismanaged the factory. The Raja of Padrauna in the Gorakhpur district is the controller and under his management, it has become worse and worse, so that today, the factory owes Rs. 17 lakhs to the growers and about rupees two or three lakhs to the working men.

Acharya Kripalani (Bhagalpur *cum*-Purnea): If you accuse the U.P. Government he will agree with that.

Shri Kidwai: I agree. May I give further information besides this? The Kathkuian factory owes others about Rs. 16 lakhs.

Shri Sarangadhar Das: I know that. There are other liabilities. I wonder why under these circumstances—there is nothing to laugh—the factories are not taken over by the Government under the Industries (Development and Regulation) Act. You have passed an Act, an amendment, lately, and yet you do not act and you let the growers and the working men suffer. When they say they can be taken over and be run in a cooperative manner, you do not pay any attention to that. What is this Welfare State you talk about? There is no welfare—nothing. It is the welfare of the money-bags—the mill-owners, not of the grower, not of the consumers, not of the workmen. You are sacrificing all of them in favour of the money-bags. This must be stopped, and the only way to stop it in this particular case is to take up these factories and find out why they are running at a loss.

Shri Kidwai: That is what we are going to do now.

श्री विश्वनाथ राय (जिला देवरिया—पश्चिम) : आज इस बहस को आरम्भ करते हुए माननीय सरदार साहब ने कहा कि ईख के भाव को सप्लाई और डिमान्ड पर छोड़ देना चाहिए। वह आज एक ऐसी बात कह रहे हैं जो कि आज से सौ वर्ष पहले की थी। और खास कर के ईख पैदा करने वाले किसानों के बारे में यह कहना तो उन को मिल मालिकों के हाथ में बेच देना है। मैं उत्तर प्रदेश से और उस के उस भाग से आ रहा हूं जहां कि हिन्दुस्तान में सब से ज्यादा चीनी की मिलें हैं। वहां पर बस्ती, गोरखपुर, देवरिया, और बिहार के चम्पारन और सारन में सब से ज्यादा चीनी की मिलें हैं और वहां सन् १९३७ का मंत्रिमंडल कायम होने के पहले का हम को अनुभव यह है कि अगर वहां पर इस नीति को लागू किया जाय तो वहां पर स्टारवेशन की हालत पैदा हो जायगी। उस समय लोगों को अपनी ईख जलानी पड़ी थी और दो आने मन तक बेचनी पड़ी थी। आज प्लैन्ड और कंट्रोल्ड इकानमी के जमाने में यह कैसे किया जा सकता है। जब कांग्रेस गवर्नमेंट आयी तो उस ने इस को कंट्रोल किया और ईख का भाव काफी बढ़ाया। यह जरूर कि जितनी जल्दी ईख की कीमत घटा दी गयी है उस से ईख के पैदा करने वालों को नुकसान हुआ है।

श्री किदवाई : कोई नहीं।

श्री विश्वनाथ राय : सन् १९४७–४८ में ईख का भाव २ रुपया मन था और चीनी का भाव ३५ रुपया सात आना मन था। अब ईख का भाव एक रुपया पांच आना और एक रुपया तीन आना रखा गया है। जिस रेशियो (अनुपात) से ईख का भाव गिरा है उस रेशियो से न तो गल्ले का भाव गिरा है, न कपड़े का भाव गिरा है न चीनी का भाव गिरा है। इस बात का भी सरकार को ध्यान रखना है।

दूसरी बात बिहार के जो नये सदस्य आये हैं उन्हों ने यह कही कि बिहार के उस एरिया के लिए जहां बाढ़ आयी है ईख का भाव कम से कम एक रुपया बारह आना या दो रुपया रखना चाहिये। तो मेरा कहना यह है कि देश के हर भाग में जहां भी बाढ़ आयी है वहां पर भी यही भाव कर दिया जाना चाहिए केवल बिहार में ही नहीं।

[श्री विश्वनाथ राय]

माननीय सारंगधर दास जी ने देवरिया के बारे में कहा कि वहां साठ लाख रुपया मिलों की तरफ बाकी है। इस से किसानों को बहुत नुकसान होता है। लेकिन यह कई महीनों की बात है। खड्डा की मिल पर सात लाख बाकी है और कठकुइयां मिल पर बारह लाख रुपया बाकी है। अगर सारे गोरखपुर-देवरिया को देखा जाय तो वहां दो दो साल तक के गन्ने का दाम मिलों पर बाकी है। इस के लिए चाहे यू० पी० सरकार को और चाहे केन्द्रीय सरकार को प्रबन्ध करना चाहिए। खास कर हमारे जिले में जो कि स्केयरसिटी एरिया है और जहां इस साल बाढ़ आयी है और जहां जनता की परचेजिंग पावर बहुत गिर गयी है वहां के लिए गवर्नमेंट को स्पेशल इन्तिजाम करना चाहिए।

अब सवाल यह है कि चीनी का भाव कैसे कम हो। और विदेशों के मुकाबले में यहां चीनी कैसे सस्ती हो। इस के साथ ही प्रश्न यह है कि किस तरह से किसानों को लाभ हो और उन के पास दूसरी चीजें खरीदने के लिए पैसा हो। मिल मालिक कहते हैं कि इस इंडस्ट्री को स्टेबिलाइज किया जाय। इस इंडस्ट्री को सन् १९३३ से प्रोटेक्शन दिया जा रहा है और कृषकों को धक्का दे कर के इन मिल वालों को फायदा पहुंचाया गया है। किसानों का ख्याल नहीं रखा गया पर इन लोगों का ख्याल रखा गया है कि किसानों के बल पर चीनी पैदा करते हैं। अगर हम उन किसानों को भूल जायेंगे और इंडस्ट्री को स्टेबिलाइज करने में लग जायेंगे तो हम बुनियाद को भुला देंगे और ऊपर की ही बात करेंगे। उस हालत में हम को बाहर से भी चीनी मंगानी पड़ेगी और जैसा कि मेरे एक मित्र ने कहा हम को चीनी की मिलों को नेशनलाइज भी करना पड़ सकता है। जब तक इन्टेन्सिव कल्टीवेशन नहीं किया जायगा सिर्फ एकरेज बढ़ाने से काम नहीं चल सकता और न ऐसा करने से चीनी सस्ती ही होगी। जब किसान के फ़ी एकड़ में ज्यादा ईख होगी तभी यह इंडस्ट्री स्टेबिलाइज हो सकती है। और तभी किसानों को लाभ हो सकता है। जिस जगह सब से ज्यादा ईख की खेती होती है उसी जगह को प्लानिंग कमीशन ने पूरा महत्व नहीं दिया है। ईख ज्यादातर यू० पी० के पूर्वी जिलों में और बिहार के पश्चिमी जिलों में होती है। यहां पर गंडक वैली प्रोजेक्ट की तरफ ध्यान नहीं दिया जा रहा है। जब तक वहां पर सिंचाई के लिए विशेष रूप से प्रबन्ध नहीं होगा तब तक न तो ईख की पैदावार ज्यादा होगी और न चीनी का भाव घटेगा। ईख का दाम कम हो रहा है इस से दिन पर दिन ईख की पैदावार गिरती जा रही है।

Shri Syamnandan Sahaya (Muzaffarpur Central): It is difficult to express oneself on a question like this in a short time. But I shall take whatever time I have in drawing the attention of the hon. Minister through you, Sir, to the special circumstances obtaining in my province of Bihar.

Firstly, I agree with the hon. Minister's general policy that it is necessary at this time, at this late hour of the life of the sugar industry that some attempt should be made at stabilisation of the price of sugar, of the cost in producing sugar, of the cost of sugar-cane and other allied matters—of the use of molasses, bagasse and so on and so forth. But, in doing so, all that I will try to impress on the hon. Minister is that it is a proposition which has suffered long and any attempt by him or anybody else to bring about these reforms in a comparatively short time might not only not achieve the object he has in view, but might perhaps be harmful. Take the question of the present state of affairs

in Bihar. First of all, it is an accepted figure of the Government of Bihar, that the acreage in Bihar under-sugarcane has gone down by 15 per cent.

Shri Kidwai: I think the hon. Member has not been correctly informed. Indeed statistics we have received from Bihar show that there has been an increase this year instead of decrease.

Shri Syamnandan Sahaya: I suppose sometimes figures also give erroneous impressions. All that I will request the hon. Minister is to confirm his statement, because what I am telling you is also a statement from the Government of Bihar.

Shri Kidwai: We receive our returns from the State Government and I find that last year the acreage was 3,36,000 and this year it is 3.61,000, an increase of 25,000.

Shri Syamnandan Sahaya: Perhaps you know that when taking years into consideration, the State Governments consider a year to be a particular period. All that I will say is: please do not accept my figure; but I request you to get it confirmed, and no more. In any case, the position that I have before me—and I say so on good authority—is that there has been a decrease in acreage.

Then again you are aware that a large area of cane, particularly in North Bihar, and also in parts of South Bihar, has suffered from floods seriously. The cane to be crushed this year is not likely to be more than five crores or a little over as against seven crores last year. That is what we apprehend, if I may say so. Now, this aspect, in my opinion, ought to weigh, if not for a general consideration, for a special consideration on a special occasion, with the hon. Minister.

The second thing, in connection with Bihar, has suffered from floods seriattention, is that there have been mills who had tram-lines put up for years and years, and in some cases when the tram-lines were put up, the mills had entered into an agreement with the District Board where they stated that they should not charge any transport cost on sugar-cane. On this ground, the District Board permitted them the use of the lines. Now, under your present arrangement—I do know, specifically, but I understand that under the present arrangement—the cost of transport to the mills will be deduction out of the cane price which, I understand, you propose to fix at Rs. 1-8-0. I submit that that will be a procedure which will not be warranted by conditions obtaining in the province not now, but for years past, and therefore, I will request that this matter should receive your kind and favourable consideration.

The next thing I will draw your attention to is that it has been stated on more occasions than one— and perhaps that has been the impression going round—that the price of cane at gate and at rail-heads may be necessarily different. I say 'necessarily' purposefully. I feel that sometimes the cultivator, in order to carry his cane to the rail-head, has to traverse the same distance as when he has got to go to the gate. Therefore, this differentiation also, in my opinion is not justified.

The next thing I will draw your attention to is the addition of what is called a State cess in the price of sugar-cane. I know you have your difficulties in the matter. I know you have the difficulty of different systems obtaining in different provinces. I know also that in some provinces, on account of a lower cess the grower will get a higher price than in others perhaps where there is a bigger cess, and you want to use this method in order to bring about a similarity about it. While you may be doing so with an object which is all laudable, you will appreciate that the burden on the grower in one part will be very great. Therefore, I will request you to use your kind offices with all the States in India who are concerned so that there may be some kind of similarity in the matter of assessment of cess. If you are able to use your kind offices, I have no doubt that this matter will be settled in every way without in any way injuring the interests of the cultivators of Bihar.

[Shri Syamnandan Sahaya]

Apart from these things, there are just two matters to which I would like to draw your attention. In a recent Control Board meeting—I do not know whether I am disclosing any secret, but that is my information and I have no doubt my information is authentic—in Bihar where the hon. Chief Minister of U.P. was also present—perhaps he presided at that meeting—the millowners expressed the feeling that it was not possible under the present trend of market conditions to reduce the price of sugar to less than Rs. 29 or Rs. 30 as it obtains now. If that is so, and with all your experience of the last two years or one and a half years in the Food Department, you feel along with them...

Shri Kidwai: I do not feel along with them.

Shri Syamnandan Sahaya: Sometimes you feel. Therefore, we are apprehensive as happened last year. The price of sugar was not as you wished it to be. Now, even if you fix Rs. 1-8 without the cess and other things.....

Shri Kidwai: I did not fix it.

Shri Syamnandan Sahaya: I do not say you fix it. What I say is that if you fix it, even then, as you yourself said in a statement, the price of sugar ought to be Rs. 27 or Rs 27-4. You will find that in the past years, for instance, in the year 1948-49 when you fixed the price at Rs. 1-13, the price of sugar was Rs. 28-8. Again in 1949-50, it was fixed at Rs. 1-10 9 and the price was Rs. 28-8. In 1950-51 when the price was Rs. 31 for North Bihar—not for the whole of India; for the whole of India it was Rs. 29—it was fixed at Rs. 1-13. I, therefore, feel that our apprehensions may be justified, as happened last year. In order to bring down the price, even this year you go to the extreme length of importing sugar. No one knows better than you that we have not been successful in this. If that is so, our apprehensions do deserve consideration at your hands. There is no use making the sugar-cane grower suffer, and as for the consumer, the remedy lies in the Government purchasing the stocks.

Before I resume my seat, I wish again to request the hon. Minister to consider the case, particularly of Bihar, sympathetically as it deserves sympathetic consideration.

Shri V. B. Gandhi (Bombay City—North): I do not know how to begin.

Shri Velayudhan (Quilon *cum* Mavelikkara—Reserved—Sch. Castes): Begin with sugar.

Shri V. B. Gandhi: However, there is one particular feature of the present policy of Government in respect of sugar to which I am going to confine my observations, and that policy is the present decision of the Government to import sugar. Just about ten days ago we were told that Government had taken a decision to import about one lakh tons. Subsequently, we are informed that the Government have now decided to increase the quantity to be imported to two lakh tons.

Shri Kidwai: The first announcement was 'two lakh tons'.

Shri V. B. Gandhi: Two lakhs. Very well. Now, on the basis of the facts that are already available to us, it is very difficult to imagine that this import of sugar is necessary for consumption in this country. In answer to a question we were told by the hon. Minister of Food and Agriculture that 14.91 lakhs of tons had already been released from factories. We are also told that some 2.42 lakhs of tons of sugar are unreleased and are with the factories. That makes up a total of 17.33 lakh tons. By any calculation—even granting the new theory that is being put out that suddenly people in this country have started consuming sugar voraciously, even then—this quantity should be adequate. Of course, I must say that about 2.04 lakh tons could not be released for want of wagons. But still you are today possessed of this quantity of 17:33 lakh tons.

Shri Kidwai The factories today have got only about four lakh tons; the others are sold.

Shri V. B. Gandhi: These are the releases that were made from the factories since December I. Now, in the case of this situation, here we are importing two lakh tons and if my calculation is correct, it is going to cost this country something like Rs. 11 crores. By this policy of importing sugar we are going to pay this amount for sugar which is not necessary for our consumption.

Shri Kidwai: May I ask the hon. Member why it is not necessary? For the next four months we have got only four lakh tons.

Shri V. B. Gandhi: I will try to pursue my trend of argument. The country is going to be asked to part with something like Rs. 11 crores of its scarce foreign exchange.

Shri Kidwai: It is not scarce.

Shri V. B. Gandhi: I do not know who is responsible for this state of things. Some of us have begun to feel that there is some serious miscalculation somewhere; there is some facile optimism somewhere, there is some negligence to observe scientifically the facts before them and to study facts. A few months ago, on the 20th of November, when this House was considering the Sugar (Teporary Additional Excise Duty) Bill, we were told by the Minister of Revenue and Expenditure that he would like to export sugar and that foreign exchange was very scarce. Our Minister of Food and Agriculture then informed the House that he was not unwilling to subsidies the export of sugar as such export was being subsidised in all countries of the world. They were talking then about having a buffer stock of something like three lakh tons. They declared to this House that they had five lakh tons surplus on their hands. In the face of these things, today, only a few months after, to present this country with a decision that we should be asked to import and that his country should be asked to pay exchange, scarce exchange, to the tune of Rs. 11 crores is something which needs explanation. I would not say that there should be a committee to report on the whole situation, but at least I would certainly plead with the hon. Minister to issue some kind of a comprehensive statement, some kind of a White Paper, dealing with the whole question as to how his Ministry has been handling this question since the day decontrol was brought into effect.

Shri Kidwai: I shall deal with the last speaker first. The last speaker has presumed that whatever sugar has been released from the Ist of December is lying in store with the dealers; it has not been consumed. I think it is not correct. This year, as I have said again and again, in the first two or three months, the prices were as they should have been. Then they started rising. And we thought that there must be hoarding. Therefore, we undertook steps to have two releases. We released as much sugar as two lakh tons in one month. Each release was over two lakh tons. Yet the price was not affected.

Then we tried to find out the reason and we thought if there had been hoarding the best method to find that out would be from the bank credits. And we found that there had been no extraordinary advances.

Shri S. S. More: How is it the best method?

Shri Kidwai: I think it is the best method. If the hon. Member will suggest something else I will accept it.

If all the stock had been under hoarding, now that the season is about to end and the new sugar will be produced from Ist December, and two lakh tons are being imported, the hoarders would have thought twice before they continued hoarding. The hoarded sugar would have come out in the market, as many other things are coming in the market, and prices would have gone down. Therefore, that is also a proof that there is not any hoarding.

Much has been said about cane prices. But no one has taken the care to find out how the income from the

[Shri Kidwai]

cultivation of cane compares with the alternative crops that agriculturists can grow.

Pandit K. C. Sharma (Meerut Distt. South): How does the cost price compare?

Shri Kidwai: I will tell you. I think the hon. Member knows there is no compulsion by law that anybody should grow cane; it is only when he finds it profitable that he does so.

Pandit K. C. Sharma: There is no compulsion that anybody should live.

Shri Kidwai: This logic will not do. The other day I gave an instance. When the wheat prices were high and there was black market, the person did not go in for cultivation of cane, although the price was rupees two. But when wheat prices came down to the present prices, he reverted to it. And as I have just said, in Bihar although Rs. 1/5 was fixed last year and people believed that the same price would continue, the cane area has increased. (*Interruption*) That is what the Bihar Government has said.

Pandit K. C. Sharma: That is no reason to fix starving price.

Mr. Chairman: I think the hon. Minister should be allowed to proceed. These are the figures given by the Government, he has said. Why should anybody doubt those figures?

Pandit K. C. Sharma: Is this a valid reason to give prices for the sugar...

Mr. Chairman: That is an altogether different matter. Let us not doubt the figures.

Thakur Jugal Kishore Sinha: We have also got figures.

Shri Kidwai: If the argument is that the cost of every raw material should be increased and for the consumer the price should be decreased, I do not know where the money will come from.

Prof. S. N. Mishra: Sir, may we know whether we would have another opportunity to discuss the subject after the hon. Minister has spoken, because we find there are a number of points which require clarification. We request you to give another opportunity.

Mr. Chairman: When the request comes it will be decided on merits.

Shri Kidwai: As I said, U. P. is the largest cane growing area. The alternative crops to cane are two—wheat for some period and then jowar for the other period.

Shri Syamnandan Sahaya: And sweet potato in between.

Shri Kidwai: The income from wheat and *jowar* is less by Rs. 70 than the income from sugar-cane.

An Hon. Member: Per acre?

Shri Kidwai: Yes; per acre.

Sardar Lal Singh: What about the cost of production?

Shri Kidwai: The cost is also less. Then, I have got other figures regarding this progressive cultivator from the Punjab and I will show that price had no effect. In 1949-50, when the cane price was Rs. 1-10-0, this progressive cultivator sold his cane from 86 acres for Rs. 29,329.

Shri Sarangadhar Das: What is the source of these figures?

Shri Kidwai: The sources are the Punjab Government and the sugar mills to which the cane was sold.

In 1950-51, when the cane price was Rs. 1-12-0, he got from 90 acres Rs. 39,745. Last year, when the cane price was Rs. 1-5-0, the cultivation was not 90 acres, but one acre less, he realised Rs. 33,185.

Sardar Lal Singh: I contest the figures. These figures are absolutely wrong and I am prepared to show that I have got figures for the area. In 1950-51 and succeeding year, the area was about 80 acres and last year about 100; this year it is reduced to 60 acres. The figures of production given by him are also wrong.

Shri Kidwai: I am further supported in my view. If 60 acres have brought him up to this amount, I am all the more correct. We will see what has been the difference in the price of wheat in the last two or three years in U.P., and Bihar. So far as Punjab is concerned, if we make any differentiation between the cane prices in the different areas, then, we will have to take into consideration the recovery. In Punjab, the recovery is very low. Still, the cane grower is paid Rs. 1-5-0 per maund. While the recovery in South India is more, where it is up to 12 per cent, he is also paid Rs. 1-5-0 per maund.

Sardar Lal Singh: Here again, I am sorry to interrupt. In the South, they have got an organisation called SISMA —South India Sugar Mills Association —which have adopted a definite formula according to which they pay initially a price of Rs. 1-5-0 a maund and if the sugar recovery is higher, the cultivator is given the *pro rata* benefit of the same, with the result that the cane grower in South gets much higher price, a *pro rata* share of the profit. That is a concession that is not being allowed in the U.P. or the Punjab. That makes all the difference. I know that they actually get Rs. 1-12-0 instead of Rs. 1-5-0.

Mr. Chairman: Order, order. The hon. Member has had his full say and he was over anxious not to give way. I would request him not to interrupt and if he raises any objection, not to make a long speech on it.

Shri Kidwai: I am glad that the hon. Member has again contradicted himself. He definitely gave us figures about a Hyderabad mill which is a member of the South Indian Mills Association.

Sardar Lal Singh: It is not.

Shri Kidwai: The two persons whom he has named, they have come here and given a memorandum that although it is a member of that association, it is not given that price. Therefore, it is not an universal formula. I have been trying for the last 1½ years to find out a formula which will pay the cane grower a price in proportion to the recovery and which would be a scientific formula. I have not been able to introduce it because I cannot trust the mill-owners not to take advantage of that.

I will give you an example. Last year, there was so much cane that the mills refused to crush after a certain date. Then, the U.P. Government asked them to crush the cane and pay according to recovery. There are two mills in the neighbourhood. They were drawing cane from the same area. But one mill showed a decrease of only 0.2 per hundred maunds recovery, while the other showed a decrease of two point something per maund. Therefore, I have asked some scientists to give us some formula that will be fool-proof. Otherwise, I cannot leave them at the mercy of the mill-owners because you cannot trust them. In another area also ...

1 P.M.

Shri Syamnandan Sahaya: In the matter of recovery it is not merely the cane that matters, but also the efficiency of the mill. So, that cannot be the sole criterion. Because you are judging, it is my duty to draw your attention to that.

Shri Kidwai: Efficiency or no efficiency, we should find out some method.

Shri Syamnandan Sahaya: Yes.

Shri Kidwai: That is what I want. I have asked our research men and others if they can give us anything. Similarly, I know that there is cheating of the agriculturists in the weighment machine. I am trying to fix some check on that. But, I think we should be careful in fixing up a price. I have been taking interest in this cane question since 1933-34 when in U.P. we found that whenever there was cane in abundance, the mill owner would harass the people who would come, and as Mr. Dhusiya has said, they would pay rupees two or Rs. 1/6 per maund. I was a party to this *Eekh sangh* which agitated for the fixing of minimum prices. But I have found that whenever a price is fixed which brings

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them much larger profit than alternative cultivation, then the cultivation of cane goes up, and the result is next year they have to destroy the cane; the people who have not been able to sell their cane suffer much loss. That was our experience in 1951-52. Therefore, we should avoid that.

Shri Syamnandan Sahaya: That is true.

Shri Kidwai: We have still to decide. Tomorrow, I am meeting all the interests. We have to fix the cane price. If we find that in spite of this Rs. 1/5 per maund the area in different States has gone up under cane cultivation, then I will not accept any figure that the cane cultivation is higher or lower. I say that cane prices are more favourable than alternative crops. That is the real test. Why should not we adhere to it? If we had forced a certain area to cultivate cane and supply it to the mills, then the price and other things should have mattered. When it is free, when it is open to him to cultivate cane, wheat or rice, our agriculturist should choose the best he can cultivate or the more profitable cultivation. Therefore, it is easy for us to say that the price should be raised to Rs. 1/12 or rupees two. I know that the mill-owners themselves were a party to this preposterous thing, raising the price to rupees two per maund, and then taking advantage of their stock and raising the price of sugar to Rs. 35. What was the result? As I have said, next year the cultivation did not increase. It decreased.

I have got the figure of this learned agriculturist. In 1947-48, the price was fixed at rupees two per maund, but did you expect that the area should go up now? He decreased the area from 330 to 260 acres, because alternative crops were bringing him better price. Therefore, the matter of fixing up the price is the matter of comparative prices of different crops, and I would be happy if people go away from cane to other things and say, if the mill-owner comes, "we are fixing a minimum price". As our friend Dr. Ram Subhag Singh said, leave it to the cultivator.

Formerly in a certain area from which the mill used to get its supply, they were prohibited from maunfacturing *gur*. All those restrictions have been removed. It is open to them, if they get a higher price for *gur*, to convert their cane to *gur*, or the mill-owners would be forced to offer higher prices. It is an open secret. Whatever they come across, the mill-owners will be prepared to pay. If they are to keep idle, it will not pay them. Therefore, they will pay the higher price.

Dr. Ram Subhag Singh: I was not referring to reserves. I said that if you were unable to pay a proportionately higher price for sugar-cane, you better leave it to the farmers.

Shri Kidwai: There is no question of any reserved area. If there is a reserved area as between one mill and another, and if the producer wants to manufacture *gur* in a reserved area, it is now open to him to do so. Three years before, the restrictions were there, and so he could not manufacture *gur*, and the movement of *gur* was also prohibited, so that the prices would remain the same, and the mill-owners would get it at their desired price. Now all these restrictions have been removed. There is no restriction on movement from this factory to any other place, and there is no limit also as to what extent they can manufacture *gur*. What we have done is only to fix the minimum price, whatever may be the maximum.

ठाकुर युगल किशोर सिंह : बिहार सरकार से कब आप को खबर मिली थी, एकरेज के बारे में ? हम लोगों की खबर २८ तारीख की है, जबकि बिहार के इंडस्ट्रीज मिनिस्टर ने एक लिखित बयान में हम लोगों की यह खबर दी थी। इस लिए मैं जानना चाहता हूं कि आप की खबर पहले की है या बाद की। अगर पहले की है तो आप को हमारी खबर सही माननी होगी।

श्री किदवई: बिहार सरकार ने जो कहा तो वहां तो प्राइस बढ़ानें की बात थी, इस लिये एग्रीकल्चर मिनिस्टर ने कह दिया। लकिन हमार पास तो एक वक्त मुकर्रर है कि हर जिले से और हर हल्के से फिगर्स आ जाते हैं। वह फ़िगर्स हमारे पास हैं। मैं आप से यह भी कह दूं कि यू० पी० स फ़िगर्स आय हैं जो कम हैं, लेकिन यू० पी० का सिस्टम जो पटवारियों का है वह हट जाने से एक ब्रेकडाउन सा हो गया है। तो यू० पी गवर्नमेन्ट ने कह दिया इस को हन रिवाइज करें।

All these things are there in every place. Two or three years ago, the *gur* prices were high. The sugar prices also were high. But now they say there is a discouragement to the cultivator of sugar-cane.

श्री विभूति मिश्र (सारन व चम्पारन): मैं एक प्वाइंट आफ़ आर्डर पर जानना चाहता हूं कि बिहार गवर्नमेंट क किस दफ़्तर ने आप को फ़िगर्स दिये हैं।

श्री किदवई : बिहार गवर्नमेंन्ट के उसी दफ़्तर न फ़िगर्स दिये हैं जिस ने पार साल दिय थे और जिन को सही माना गया हैं।

Shri L. N. Mishra (Darbhanga *cum* Bhagalpur): Is it a fact that the Government of Bihar has written in a recent communication to the Government of India that the acreage under sugar-cane has gone down?

Shri Kidwai: I have heard it for the first time in this House.

Shri L. N. Mishra: May I know whether they have sent a letter to that effect, and have the Government of India received that letter?

Shri Kidwai: I cannot accept any statement that the acreage under sugar-cane cultivation has gone down.

Shri L. N. Mishra: It is by the department concerned.

Shri Kidwai: It is always the department concerned that sends us the returns.

Shri Syamnandan Sahaya: We shall place it again before you.

Shri T. N. Singh (Banaras Distt.—East): The price of sugar has not been fixed in 1952-53, but the price of cane was fixed, and the sugar merchants have been allowed to get extra prices for the reserve stock. What have the Government done to relate the prices of the two, as was their previous policy?

Shri Kidwai: In regard to fixation of price, our experience has been this. I do not know what the experience of hon. Members on the other side is. If you sell this sugar in blackmarket, the result is that sugar is not available in sufficient quantity in open market, and people have therefore to pay a higher price. Ordinarily the law of supply and demand is governing this. When there is larger consumption, what is the percentage of rise in the price of sugar, as compared with that in the case of *gur*? Sugar prices have risen by about ten per cent. only, whereas *gur* prices have gone up by about 120 per cent., from about Rs. 1 to Rs. 29.

Shri T. N. Singh: With what year as the base?

Shri Kidwai: I am talking of this year. I am comparing the sugar and *gur* prices. The sugar prices have not gone up by more than ten per cent. anywhere, while *gur* prices have gone up by as much as 120 per cent.

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): Out of these Rs. 29, how much does the cultivator get?

Shri Kidwai: The cultivator has got the option—and I think we shall have to deal with another cultivator of sugar-cane—of supplying it to the mill, converting it into *gur*, or consuming it himself. There is no fourth method

[Shri Kidwai]

open to him. Why should he cultivate, if he loses something in the end? We have not been able to understand that.

Shri Syamnandan Sahaya: It is their money crop.

Shri Kidwai: So they are getting money. I would not like the areas under wheat and rice crops to be diverted for money crops, because we are importing.

Shri T. N. Singh: May we know if the price of sugar is now to be regulated by imports of sugar and not by the old formula of relative cane prices?

Shri Kidwai: As I said again and again there has been no fixation of price except reservation of 25 per cent. of the produce to be released at the formula that was in operation, that is, the sugar price would be Rs. 27 per maund. Therefore, we have released to State Governments recently sugar at Rs. 27 per maund.

Now what do I find? State Governments are selling sugar at the same price at which sugar is obtainable in the market. That policy of control did not succeed. What is the price here in Delhi? It is 12½ annas per seer while the price at which it was released to the States was Rs. 27. Therefore, we should see all these difficulties of control. An hon. Member has said that sugar is sufficient in this country, why should it be imported? The reason for this has been given in the reply that was given earlier that from the very beginning of this year we have been releasing a quantity that was much larger than last years and yet the prices were not brought down. I find that today on the 1st of September there are only 445,000 tons of sugar available in the mills. The release in each month is about 1.4 lakh tons. Therefore, if at the close of the year we do not have any stock the prices will rise. Therefore, we have imported 2,00,000 tons of sugar to keep the stocks at the beginning of the year and if we find that next year the price continues to be as high as it is this year, we may have to import some more sugar next year.

श्री विभूति मिश्र: मैं एक बात जानना चाहता हूं कि चीनी २७ रुपये मन जून, जोलाई और अगस्त इन तीन महीनों में नहीं बिकी है, इस से अधिक में बिकी है, ३०, ३२ और ३३ रुपये मन तक बिकी है। तो क्या रिलीफ आप किसानों को देंगे?

श्री किदवई: जी नहीं किसानों को कोई फायदा नहीं मिलेगा इस लिए कि उन्होंने गन्ने के दाम अपने शुरू में नहीं बढ़ाए थे।

श्री श्यामनन्दन सहाय: इस साल जो कोशिश हो रही है, उस को सुनाइये।

Pandit K. C. Sharma: May I put a simple question: whether the basis of the price is what the cultivator would be forced to accept to part with his sugar-cane under the compulsion of events or whether it would be based on a sound economy and stability of agriculture?

Shri Kidwai: I think the hon. Member does not understand the question. He comes from an area which is a *gur* producing area. He also knows that formerly, say, two years ago there were all sorts of restrictions for the manufacture of *gur* in a reserved area and that the manufacture of *gur* remained banned till the crushing season for sugar-mills was over. Now that the price of sugar-cane is low I have given them complete freedom that they can supply the cane to the mill or can convert it into *gur* and get the best price in the market. Now we have seen, even when the cane prices were high, what was the *gur* price. The *gur* prices fell in Meerut to Rs. 5/8 per maund because sugar-cane was so abundant that the mills could not crush. We have to save the cultivators from all these calamities.

Pandit K. C. Sharma: May I know who was responsible, if not the Government, for reducing the *gur* prices to rupees seven? What was the reason that *gur* was selling at rupees seven per maund when the bullocks and the cultivators were starving to death? Had the Government no responsibility whatsoever? Was the hon. Minister sleeping then?

Shri Kidwai: *Gur* price was fixed at Rs. 19 previously.

The hon. Member does not know anything.

Pandit K. C. Sharma: The *gur* price went down to rupees seven.

Shri Kidwai: It went down because there was no purchaser. I say there are commodities that we can purchase. I received information from Saurashtra only four days ago that the crops were so good that *bajre* is being sold at rupees six per maund. That is an uneconomic price and I authorised the Saurashtra Government to start purchasing at the Government rate of Rs. 9/8 per maund which is considered to be an economic price. Therefore, we have a price-support policy and we adopt it wherever we can. Where the price is proportionately high we have to check it.

ठाकुर युगल किशोर सिंह : क्या इस क इकानामिक प्राइस की कोई भी जांच हुई थी ?

The House then adjourned till a Quarter Past Eight of the Clock on Wednesday the 2nd September, 1953: